



In Reply To:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive, P.O. Box 36800
Billings, Montana 59107-6800
<http://www.mt.blm.gov/>



MTM 94410

Notice of Competitive Lease Sale Oil and Gas

MAY 24, 2005

The Montana State Office is holding a competitive oral sale of Federal lands in the States of Montana and North Dakota for oil and gas leasing. We are attaching a list that includes the parcel numbers, legal land descriptions and corresponding stipulations. The list is available on the Internet at:
<http://www.mt.blm.gov/oilgas>.

When and where will the sale take place?

When: The competitive sale begins at 9:00 a.m. on Tuesday, May 24, 2005. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.

Where: We will hold the sale at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana. Parking is available.

Access: The sale room is accessible to persons with disabilities. If you need a sign language interpreter or materials in an alternate format, please tell us no later than one week before the sale. You may contact Elaine Kaufman at (406) 896-5108 or Joan Seibert at (406) 896-5093.

How do I register as a bidder? Before the sale starts, you must complete a bidder registration form to obtain a bidding number. The forms are available at the registration desk.

May I participate in a competitive oil and gas lease sale if my acreage holdings exceed the acreage limitations provided under 43 CFR 3101.2? No. Qualified individuals, associations, or corporations may only participate in a competitive lease sale and purchase Federal oil and gas leases from this office if such purchase will not result in exceeding the State limit of 246,080 acres of public domain lands and 246,080 acres of acquired lands (30 U.S.C. 184(d)). For the purpose of chargeable acreage limitations, you are charged with your proportionate share of the lease acreage holdings of partnerships or corporations in which you own an interest greater than 10 percent. Lease acreage committed to a unit agreement or development contract that you hold, own or control is excluded from chargeability for acreage limitation purposes.

The acreage limitations and certification requirements apply for competitive oil and gas lease sales, noncompetitive lease offers, transfer of interest by assignment of record title or operating rights, and options to acquire interest in leases regardless of whether an individual, association, or corporation has received, under 43 CFR 3101.2-4, additional time to divest excess acreage acquired through merger or acquisition.

What is the sale process? Starting at 9:00 a.m. on the day of the sale:

- the auctioneer offers the parcels in the order they are shown on the attached list;
- registered bidders make oral bids on a per-acre basis for all acres in a parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum \$2.00 bid;
- the decision of the auctioneer is final; and
- names of high bidders (lessees) remain confidential until the results list is available.

If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.48 acres requires a minimum bid of \$202 (101 acres x \$2).

If the United States owns less than 100 percent of the oil and gas rights in a parcel, we will issue the lease for the percentage of interest the United States owns. You must calculate your bid and advance rental payment on the gross acreage in the parcel. For example, if the U.S. owns 50 percent of the oil and gas in a 100.48 acre parcel, the minimum bid is \$202 (101 acres x \$2) and the advance rental due is \$151.50 (101 acres x \$1.50).

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw parcels or cancel a sale, we will post a notice in our Public Records and Information Center and announce the withdrawn parcels at the sale.
- **Lease terms:** Leases issue for a primary term of 10 years. They continue beyond the primary term as long as the lease is producing in paying quantities or receiving production from another source. Rental is \$1.50 per acre for the first 5 years (\$2 per acre after that) until production begins. Once a lease is producing, we charge a royalty of 12.5 percent on the production removed or sold from the lease. You will find other lease terms on our standard lease form (Form 3100-11, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or conditions affecting how you conduct operations on the lands. The stipulations become part of the lease and replace any inconsistent provisions of the lease form.
- **Bid form:** On the day of the sale, successful bidders must submit a properly completed lease bid form (Form 3000-2, October 1989 or later edition) along with their payment. The bid form is a legally binding offer to accept a lease and all its terms and conditions. When the prospective lessee or an authorized representative signs the bid form, they certify the lessee meets the conditions of 43 CFR 3102.5-2 and complies with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of bidders, and collusion among bidders. You cannot withdraw your bid.
- **Payment:**
 - **minimum due by 4:00 p.m. on day of sale:**
Bonus bid deposit of \$2.00 per acre or fraction thereof;
First year's rent of \$1.50 per acre or fraction thereof except for future interest parcels; and
\$75 nonrefundable administrative fee
 - **remaining balance due by 4:00 p.m. June 8, 2005** If you don't pay in full by this date, you lose the right to the lease and all the money you paid the day of the sale. We may offer the parcel in a future sale.

- **Method of payment:** You can pay by:
 - personal check;
 - cashier's check;
 - money order; or
 - credit card (Visa, Mastercard, American Express or Discover).

Effective February 1, 2005, BLM will not accept credit or debit card payments to the Bureau for an amount equal to or greater than \$100,000. We also will not accept aggregated smaller amounts to bypass this requirement. We encourage you to make any payments of \$100,000 or more by Automated Clearing House (ACH) or Fed Wire transfer.

Make checks payable to: **Department of the Interior-BLM.** We do not accept cash. If you previously paid us with a check backed by insufficient funds, we will require a guaranteed payment, such as a cashier's check.

- **Lease issuance:** After we receive the bid forms and all monies due, we can issue the lease. The lease effective date is the first day of the month following the month we sign it. We can make the lease effective the first day of the month in which we sign it, if you ask us in writing before we sign the lease.

How can I find out the results of this sale? We post the sale results in our Public Records and Information Center and the Internet at: <http://www.mt.blm.gov/oilgas>. You can buy a \$5/\$10 printed copy of the results list from the Public Records and Information Center.

How do I file a noncompetitive offer after the sale? Lands that do not receive a bid and are not subject to a pre-sale offer are available for a two-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

Place offers filed on the day of the sale and the first business day after the sale in the drop box in the Public Records and Information Center. We consider those offers simultaneously filed. When a parcel receives more than one filing by 4 p.m. on the day after the sale, we will hold a drawing to determine the winner. Offers filed after this time period, receive priority according to the date and time of filing in this office.

How do I file a noncompetitive pre-sale offer? Under our regulations at 43 CFR 3110.1(a), you may file a noncompetitive pre-sale offer for lands that:

- are available; and
- have not been under lease during the previous one-year period; or
- have not been in a competitive lease sale within the previous two-year period.

Once we post a competitive sale notice, you cannot file a pre-sale offer for lands shown on the notice.

To file a pre-sale offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

If we don't receive a bid at the sale for the parcel(s) contained in your pre-sale offer, we will issue the lease. You can withdraw your offer prior to the date we sign your lease. Your pre-sale offer is your consent to the terms and conditions of the lease, including any additional stipulations advertised in the Competitive Sale Notice.

Where can I obtain information pertaining to the individual Forest Service Stipulations?

The applicable Forest Service Environmental Impact Studies (EIS) describe stipulations for parcels located within the administrative boundary of the Forest Service units. The Geographic Information System (GIS) maps of the stipulations may be viewed at the following Forest Service offices:

- The individual District Ranger's Office identified in the stipulation listing included with this sale notice,
or
- The individual Forest Supervisor's Office identified in the stipulation listing included with this sale notice,
or
- Forest Service, Region One Office, 200 East Broadway, Missoula, Montana

May I protest BLM's decision to offer the lands in this Notice for lease? If you are adversely affected by our decision to offer the lands in this Notice for lease, you may protest the decision to the State Director under regulation 43 CFR 3120.1-3. You must file your protest by 4:00 p.m. the day before the sale. **You may not submit your protest electronically via email.**

If BLM receives a timely protest of a parcel advertised on this Sale Notice, how does it affect the parcel? We will announce receipt of any protests at the beginning of the sale. We will also announce a decision to either withdraw the parcel or proceed with offering it at the sale.

If I am the high bidder at the sale for a protested parcel, when will BLM issue my lease? We will suspend lease issuance until the protest is resolved.

If I am the successful bidder of a protested parcel, may I withdraw my offer and receive a refund of my first year's rental and bonus bid? No. You may not withdraw your offer.

How does an untimely protest affect my competitive offer? We will dismiss untimely protests. We will not allow you to withdraw your offer.

If BLM upholds the protest, how does that affect my competitive offer? If we uphold a protest and withdraw the parcel from leasing, we will refund your first year's rental and bonus bid.

If the decision upholding the protest results in additional stipulations, we will offer you an opportunity to agree with the additional stipulations prior to lease issuance. If you do not agree to the additional stipulations and wish to withdraw your offer, we will refund your first year's rental and bonus bid.

May I withdraw my offer if the protestor files an appeal? No. If the protestor appeals our decision, you may not withdraw your offer.

If resolution of the appeal results in lease cancellation, we will authorize refund of the bonus bid and rentals if there is no evidence that the lessee(s) derived any benefit from possession of the lease during the time they held it and no indication of bad faith or other reasons not to refund the rental and bonus bid.

How do I nominate lands for future sales?

- file a letter with this office describing the lands you want put up for sale;
- file a pre-sale offer

Who should I contact if I have a question? For more information, contact Trish Cook at (406) 896-5110, tlcook@mt.blm.gov, or by FAX at (406) 896-5292.

When is the next competitive oil and gas lease sale scheduled in Montana? We are tentatively holding our next competitive sale on July 26, 2005.

Karen L. Johnson, Chief
Fluids Adjudication Section

OFFICIAL POSTING DATE MUST BE ON OR BEFORE April 8, 2005

The official posting date will be noted on the copy posted in the Information Access Center of the Bureau of Land Management, Billings, Montana.

PUBLIC NOTICE

Any noncompetitive offers received for lands that are listed on the Notice from the time the list is officially posted in the Montana State Office Public Room until the first business day following the completion of the sale will be rejected as unavailable for filing per 43 CFR 3110.1(a)(ii).

THE FOLLOWING NOTICE WILL BE ATTACHED TO ALL ISSUED LEASES

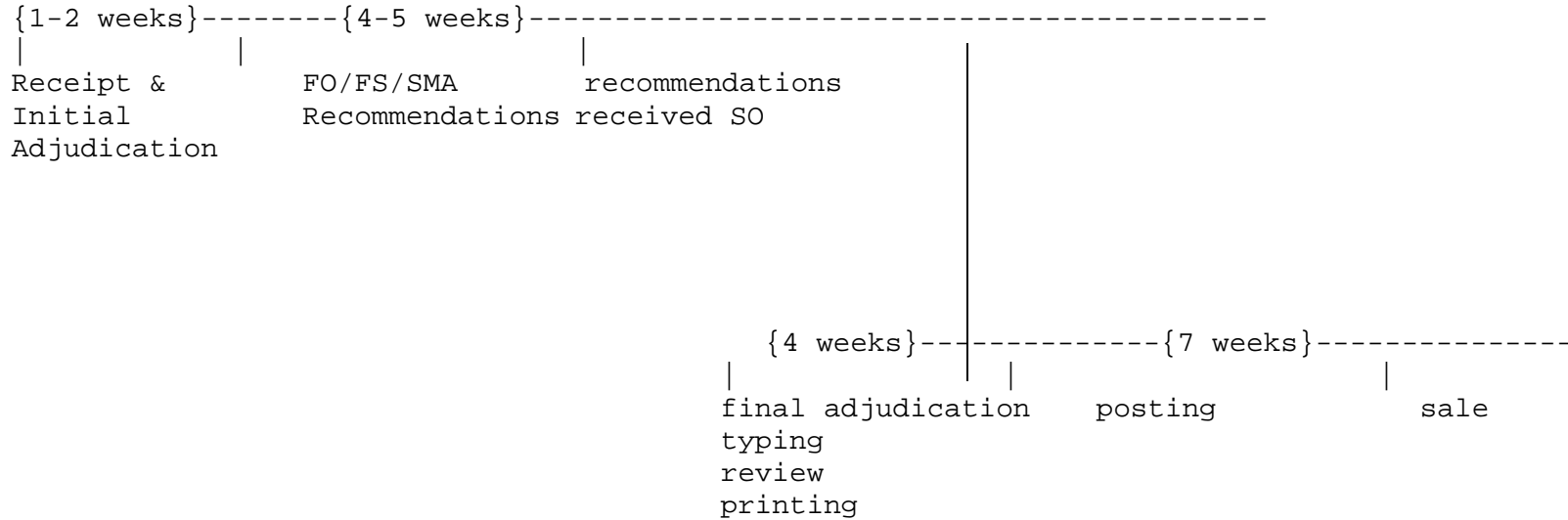
NOTICE TO LESSEE

Provisions of the Mineral Leasing Act (MLA) of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, affect an entity's qualifications to obtain an oil and gas lease. Section 2(a)(2)(A) of the MLA, 30 U.S.C. 201(a)(2)(A), requires that any entity that holds and has held a Federal coal lease for 10 years beginning on or after August 4, 1976, and who is not producing coal in commercial quantities from each such lease, cannot qualify for the issuance of any other lease granted under the MLA. Compliance by coal lessees with Section 2(a)(2)(A) is explained in 43 CFR 3472.

In accordance with the terms of this oil and gas lease with respect to compliance by the initial lessee with qualifications concerning Federal coal lease holdings, all assignees and transferees are hereby notified that this oil and gas lease is subject to cancellation if: (1) the initial lessee as assignor or as transferor has falsely certified compliance with Section 2(a)(2)(A) or (2) because of a denial or disapproval by a State Office of a pending coal action, i.e., arms-length assignment, relinquishment, or logical mining unit, the initial lessee as assignor or as transferor is no longer in compliance with Section 2(a)(2)(A). The assignee or transferee does not qualify as a bona fide purchaser and, thus, has no rights to bona fide purchaser protection in the event of cancellation of this lease due to noncompliance with Section 2(a)(2)(A).

Information regarding assignor or transferor compliance with Section 2(a)(2)(A) is contained in the lease case file as well as in other Bureau of Land Management records available through the State Office issuing this lease.

**TIMELINE TO PROCESS EXPRESSIONS OF INTEREST (EOI)
OR PRESALE OFFERS**



**Total time required to process EOI/Offer
4-5 months {16-18 weeks}**

SMA-Surface Management Agency
 ie: Forest Service, Bureau of Reclamation
 FO-BLM Field Office FS-BLM Field Office
 SO-Mon

ALL LANDS ARE LISTED IN TOWNSHIP AND RANGE ORDER

MONTANA

05-05-01 ACQ
Presale Offer: MTM 94194
T. 9 N, R. 26 E, PMM, MT
sec. 11 ALL;
12 NW;
13 ALL;
14 NE,N2SE,SWSE;
15 N2NE,NW;
22 SW;
24 NE;
Musselshell 2280.00 AC
Stipulations: Cultural Resources,
Lease Notice-1,2, NSO-1,2, TES,
Timing-1,2

05-05-02 ACQ
Presale Offer: MTM 94194
T. 9 N, R. 26 E, PMM, MT
sec. 12 NE,S2S2;
Musselshell 320.00 AC
97-1/2% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Lease Notice-2, TES, Timing-1,2

05-05-03 ACQ
Presale Offer: MTM 94194
T. 9 N, R. 26 E, PMM, MT
sec. 18 E2NW;
30 E2;
31 LOTS 1,2,3,4;
31 E2,E2W2;
32 E2;
Musselshell 1360.56 AC
Stipulations: Cultural Resources,
Lease Notice-1,2, NSO-1,2, TES,
Timing-2

05-05-04 PD
T. 35 N, R. 27 E, PMM, MT
sec. 1 LOTS 1,2,3,4;
1 S2N2,S2;
2 LOTS 1,2,3,4;
2 S2NE,SENW,S2;
11 N2,N2NW,SENW,SE;
Phillips 1840.48 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-05 PD
T. 35 N, R. 27 E, PMM, MT
sec. 3 LOTS 1,2,3;
3 SWNE,SW,W2SE;
10 SWNE,NW,N2SW,NWSE;
14 E2,SWNW,W2SW;
15 E2;
Phillips 1479.66 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-06 PD
T. 35 N, R. 27 E, PMM, MT
sec. 12 S2;
13 W2E2,E2W2;
23 NENE,SWNE,NWNW,S2NW,SW,
W2SE;
24 W2E2,W2;
Phillips 1560.00 AC
Stipulations: Cultural Resources,
Standard, TES

EXPLANATION 1/, 2/, 3/, SEE PAGE 15

05-05-07 ACQ

T. 35 N, R. 27 E, PMM, MT
sec. 13 E2E2;
21 E2SE;
22 SW;
24 E2E2;
27 W2NW;
30 LOTS 3,4;
30 E2SW;

Phillips 791.67 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-08 PD

T. 35 N, R. 27 E, PMM, MT
sec. 18 SWSE;
19 LOT 2;
19 S2NE,SENE;
20 SWNW,W2SW,SESE;
21 NWNW;
28 SWNW,S2;

Phillips 755.50 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-09 PD

T. 35 N, R. 27 E, PMM, MT
sec. 25 W2E2,SESE;
26 SENE,N2NW,SWNW,SESW,SE;
27 NE,E2NW,SW,N2SE,SWSE;
35 N2;

Phillips 1400.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-10 PD

T. 35 N, R. 27 E, PMM, MT
sec. 29 ALL;
30 SE;
31 E2,E2W2;

Phillips 1280.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-11 PD

T. 35 N, R. 27 E, PMM, MT
sec. 32 ALL;
33 ALL;
34 NWNE,N2NW,S2S2;

Phillips 1560.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-12 ACQ

T. 36 N, R. 27 E, PMM, MT
sec. 1 S2;
5 SWNW,W2SW;
6 SENE,NESE;
7 NENE;
8 N2NW;
17 N2NE,W2;
18 E2;
19 LOTS 1,2,3,4;
19 E2,E2W2;

Phillips 1977.68 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-13 PD

T. 36 N, R. 27 E, PMM, MT
sec. 2 SWNW,SW,W2SE;
11 N2,NWSW,SESE;
12 N2,N2SW,SESW,SE;
13 NE,N2SE,SESE;

Phillips 1560.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-14 PD

T. 36 N, R. 27 E, PMM, MT
sec. 3 SENE,S2;
10 N2,SW,N2SE,SWSE;
14 SWSW;
15 N2NW,NWSW,S2SW,SWSE;
22 W2NE;

Phillips 1320.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-15 PD
T. 36 N, R. 27 E, PMM, MT
sec. 4 S2N2,S2;
5 SE;
7 S2NE,SESW,SE;
8 S2NW,SW,N2SE,SESE;
9 E2,SW;
17 SENE;
Phillips 1800.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-16 PD
T. 36 N, R. 27 E, PMM, MT
sec. 25 SESE;
29 NESE,S2SE;
30 LOT 4;
33 N2NE,SENE,S2SE;
34 NWNE,NW,S2SW,NESE,SWSE;
35 W2NE,NENW,S2NW,N2SW,
NWSE;
Phillips 1074.77 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-17 ACQ
T. 37 N, R. 27 E, PMM, MT
sec. 1 S2;
2 LOTS 9,10,11,12;
2 S2N2,S2;
12 ALL;
Phillips 1565.44 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-18 ACQ
T. 37 N, R. 27 E, PMM, MT
sec. 3 LOTS 9,10,11,12;
3 S2N2;
11 ALL;
13 W2;
14 N2;
Phillips 1563.84 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-19 ACQ
T. 37 N, R. 27 E, PMM, MT
sec. 23 N2;
27 N2,N2SW,SE;
34 SE;
35 SW;
Phillips 1200.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-20 ACQ
T. 37 N, R. 27 E, PMM, MT
sec. 8 NE,S2;
Phillips 480.00 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Standard, TES

05-05-21 PD
T. 37 N, R. 27 E, PMM, MT
sec. 14 S2;
22 S2;
23 S2;
24 ALL;
Phillips 1600.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-22 PD
T. 37 N, R. 27 E, PMM, MT
sec. 17 ALL;
18 NE;
19 LOTS 3,4;
19 E2SW,SE;
20 ALL;
Phillips 1760.32 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-23 PD
T. 37 N, R. 27 E, PMM, MT
sec. 21 ALL;
28 ALL;
29 N2,SE;
Phillips 1760.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-24 PD

T. 37 N, R. 27 E, PMM, MT
sec. 30 LOT 1;
30 N2NE,SENE,NENW,NESE,
S2SE;
31 LOTS 1,2,3,4;
31 E2,E2W2;
32 NE,S2;
Phillips 1440.87 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-25 PD

T. 14 N, R. 30 E, PMM, MT
sec. 2 LOTS 1,2,3;
2 S2NE,SENW,SE;
12 S2;
14 NE,NWSW,N2SE;
24 ALL;
34 SENW,SW;
Garfield 1839.57 AC
Stipulations: CSU-1,2, NSO-1, TES,
Timing-1

05-05-26 PD

T. 15 N, R. 30 E, PMM, MT
sec. 1 LOT 5;
1 PORTION LOT 7 OUTSIDE
MUSSELSHELL BREAKS WSA
(37.00 AC);
1 PORTION LOT 8 OUTSIDE
MUSSELSHELL BREAKS WSA
(7.00 AC);
1 PORTION S2NW OUTSIDE
MUSSELSHELL BREAKS WSA
(10.30 AC);
1 SWSE;
9 LOT 9;
10 PORTION S2NESW OUTSIDE
MUSSELSHELL BREAKS WSA
(20.00 AC);
10 PORTION SE OUTSIDE
MUSSELSHELL BREAKS WSA
(99.30 AC);
10 NWSW,S2SW;
13 SWSW;
14 PORTION N2 OUTSIDE
MUSSELSHELL BREAKS WSA
(150.20 AC);
14 S2;
15 ALL;
Garfield 1552.03 AC
Stipulations: CSU-1,2, NSO-1, TES

05-05-27 PD

T. 15 N, R. 30 E, PMM, MT
sec. 22 N2NE,SENE,NWNW,S2NW,
NESW,S2SW,SE;
23 ALL;
24 W2;
26 N2,SW,N2SE,SWSE;
27 N2NE,SENE;
34 LOTS 1,2,3,4,6,9;
Garfield 2415.66 AC
Stipulations: CSU-1,2, NSO-1, TES

05-05-28 PD

T. 14 N, R. 31 E, PMM, MT

sec. 6 LOT 1;
6 SENE,E2SE;
8 N2;
18 LOTS 1,2,3,4;
18 E2,E2W2;
20 N2NE,W2W2,E2SE;

Garfield 1428.35 AC

Stipulations: CSU-2, NSO-1, TES

05-05-29 PD

T. 14 N, R. 31 E, PMM, MT

sec. 10 NW,S2;
12 S2;
22 ALL;
24 N2NE,SENE,NWSW,S2S2;

Garfield 1760.00 AC

Stipulations: TES, Timing-1

05-05-30 PD

T. 14 N, R. 31 E, PMM, MT

sec. 26 ALL;
28 E2;
32 ALL;
34 ALL;

Garfield 2240.00 AC

Stipulation: TES

05-05-31 PD

T. 15 N, R. 31 E, PMM, MT

sec. 4 LOT 5;
5 LOTS 5,6,7,8;
5 S2N2,NESE,S2SE;
6 LOTS 8,9,10,11;
7 PORTION LOT D OUTSIDE
MUSSELSHELL BREAKS WSA
(12.50 AC);
7 PORTION LOT 7 OUTSIDE
MUSSELSHELL BREAKS WSA
(7.80 AC);
7 S2SE;
8 SENW;
9 NWNE,S2NW,N2SW,SESW,
W2SE;
10 NENW;

Garfield 1126.67 AC

Stipulations: CSU-2, TES, Timing-2

05-05-32 PD

T. 15 N, R. 31 E, PMM, MT

sec. 18 LOTS 11,12;
20 SESW;
26 S2;
30 LOTS 5,6,7,8;
32 LOTS 1,2;
32 NE,N2NW,N2SE;
34 N2N2,SENW;

Garfield 1139.81 AC

Stipulations: CSU-2, TES,
Timing-1,2

05-05-33 PD

T. 10 N, R. 38 E, PMM, MT

sec. 2 LOTS 1,2,3,4;
2 S2N2,S2;
12 W2;
14 ALL;
24 N2;

Rosebud 1922.60 AC

Stipulations: CSU-1,2, TES,
Timing-1

05-05-34 PD

T. 10 N, R. 38 E, PMM, MT

sec. 4 S2NE,E2SW,SE;
8 ALL;
10 ALL;

Rosebud 1600.00 AC

Stipulations: CSU-1, TES, Timing-1

05-05-35 PD

T. 10 N, R. 38 E, PMM, MT

sec. 22 E2;
26 N2N2,SWNW,W2SW,SESW;
28 NE,N2NW,E2SE;
34 W2;

Rosebud 1280.00 AC

Stipulations: CSU-1, TES,
Timing-1,2

05-05-36 PD
T. 11 N, R. 38 E, PMM, MT
sec. 2 LOTS 1,2,3,4;
2 S2N2,S2;
4 S2;
10 ALL;
Rosebud 1597.88 AC
Stipulations: CSU-1, TES, Timing-2

05-05-37 PD
T. 11 N, R. 38 E, PMM, MT
sec. 14 ALL;
22 S2NW,SW,W2SE;
24 N2N2,S2;
Rosebud 1440.00 AC
Stipulations: CSU-1, TES, Timing-2

05-05-38 PD
T. 11 N, R. 38 E, PMM, MT
sec. 26 ALL;
28 ALL;
34 ALL;
Rosebud 1920.00 AC
Stipulations: CSU-1,2, TES

05-05-39 PD
T. 10 N, R. 39 E, PMM, MT
sec. 2 LOTS 1,2,3,4;
2 S2N2,S2;
10 ALL;
12 ALL;
Rosebud 1922.04 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-40 PD
T. 10 N, R. 39 E, PMM, MT
sec. 4 LOTS 1,2,3,4;
4 S2N2,S2;
6 LOTS 1-7 INCL;
6 S2NE,SENW,E2SW,SE;
8 SENE,SWNW,NWSW,NESE;
Rosebud 1432.92 AC
Stipulations: CSU-1,2, TES,
Timing-1,2

05-05-41 PD
T. 10 N, R. 39 E, PMM, MT
sec. 14 ALL;
24 E2;
26 ALL;
Rosebud 1600.00 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-42 PD
T. 10 N, R. 39 E, PMM, MT
sec. 18 LOTS 1,2,3,4;
18 E2,E2W2;
20 S2;
30 LOT 1;
30 NWNE,NENW,NESE;
Rosebud 1104.14 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-43 PD
T. 10 N, R. 39 E, PMM, MT
sec. 28 E2;
34 ALL;
Rosebud 960.00 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-44 PD
T. 11 N, R. 39 E, PMM, MT
sec. 4 LOTS 1,2,3,4;
4 S2N2,S2;
6 LOTS 6,7;
6 E2SW,SE;
8 ALL;
Rosebud 1596.47 AC
Stipulations: CSU-1, TES, Timing-2

05-05-45 PD
T. 11 N, R. 39 E, PMM, MT
sec. 10 ALL;
12 W2;
14 ALL;
Rosebud 1600.00 AC
Stipulations: CSU-1, NSO-2, TES,
Timing-2

05-05-46 PD
T. 11 N, R. 39 E, PMM, MT
sec. 18 LOTS 1,2;
18 NE,E2NW;
20 ALL;
30 LOTS 3,4;
30 E2,E2SW;
Rosebud 1431.82 AC
Stipulations: CSU-1, TES, Timing-2

05-05-47 PD
T. 11 N, R. 39 E, PMM, MT
sec. 22 ALL;
24 ALL;
26 ALL;
Rosebud 1920.00 AC
Stipulations: CSU-1, TES,
Timing-1,3

05-05-48 PD
T. 11 N, R. 39 E, PMM, MT
sec. 28 ALL;
32 ALL;
34 ALL;
Rosebud 1920.00 AC
Stipulations: CSU-1,2, NSO-2, TES,
Timing-1,2

05-05-49 PD
T. 9 N, R. 40 E, PMM, MT
sec. 8 ALL;
10 W2;
20 W2SW,E2SE;
Rosebud 1120.00 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-50 PD
T. 9 N, R. 40 E, PMM, MT
sec. 12 E2;
24 N2;
34 NWNE,NENW,W2W2,S2SE;
Rosebud 960.00 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-51 PD
T. 10 N, R. 40 E, PMM, MT
sec. 6 LOTS 1-7 INCL;
6 S2NE,SENW,E2SW,SE;
8 W2;
10 ALL;
Rosebud 1583.32 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-52 PD
T. 10 N, R. 40 E, PMM, MT
sec. 18 LOTS 1,2,3,4;
18 E2,E2W2;
20 W2;
30 LOTS 1,2,3,4;
30 E2,E2W2;
Rosebud 1578.84 AC
Stipulations: CSU-1, TES, Timing-1

05-05-53 PD
T. 10 N, R. 40 E, PMM, MT
sec. 22 E2;
26 W2W2;
34 E2;
Rosebud 800.00 AC
Stipulations: CSU-1, TES, Timing-2

05-05-54 PD
T. 11 N, R. 40 E, PMM, MT
sec. 4 LOTS 1,2,3,4;
4 S2N2,S2;
6 LOTS 1-5 INCL;
6 S2NE,SENW;
18 LOTS 1,2,3,4;
18 E2W2;
Rosebud 1244.13 AC
Stipulations: CSU-1, TES, Timing-2

05-05-55 PD
T. 11 N, R. 40 E, PMM, MT
sec. 20 ALL;
30 LOTS 1,2,3,4;
30 E2,E2W2;
Rosebud 1260.12 AC
Stipulations: CSU-1, NSO-2, TES,
Timing-1,2

05-05-56 PD
T. 11 N, R. 40 E, PMM, MT
sec. 28 N2;
32 ALL;
34 E2E2,W2W2;
Rosebud 1280.00 AC
Stipulations: CSU-1, TES,
Timing-1,2

05-05-57 ACQ
T. 30 N, R. 40 E, PMM, MT
sec. 25 SW;
35 NE;
Valley 320.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-58 PD
T. 30 N, R. 40 E, PMM, MT
sec. 25 SE;
Valley 160.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-59 ACQ
T. 34 N, R. 40 E, PMM, MT
sec. 4 LOT 1;
4 SENE,S2SW;
9 NW,N2SW;
11 S2;
Valley 720.15 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-60 PD
T. 34 N, R. 40 E, PMM, MT
sec. 5 SWNW;
Valley 40.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-61 ACQ
T. 35 N, R. 40 E, PMM, MT
sec. 1 LOTS 1,2,3,4;
1 S2N2,N2SW,SE;
12 N2NE;
35 SWNE,SENE,E2SW,SE;
Valley 960.04 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Standard, TES

05-05-62 ACQ
T. 35 N, R. 40 E, PMM, MT
sec. 27 W2NE,E2SW,N2SE,SWSE;
Valley 280.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-63 ACQ
T. 36 N, R. 40 E, PMM, MT
sec. 7 LOT 4;
18 LOTS 1,2,3,4;
18 E2W2;
19 LOTS 1,2;
19 E2NW;
Valley 473.46 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-64 PD
T. 36 N, R. 40 E, PMM, MT
sec. 15 SWNW;
20 NWSW;
Valley 80.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-65 PD
T. 30 N, R. 41 E, PMM, MT
sec. 31 N2,SE;
Valley 480.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-66 PD
T. 34 N, R. 41 E, PMM, MT
sec. 1 LOT 2;
30 LOTS 1,2;
30 NE,E2NW;
Valley 357.07 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-67 ACQ
T. 35 N, R. 41 E, PMM, MT
sec. 6 LOTS 4,5;
Valley 73.11 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Standard, TES

05-05-68 PD
T. 35 N, R. 41 E, PMM, MT
sec. 18 SENE;
23 NESW;
25 NENW,S2NW,SWSE;
Valley 240.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-69 PD
T. 36 N, R. 41 E, PMM, MT
sec. 2 W2SE;
7 N2SE;
15 SWNW;
Valley 200.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-70 ACQ
T. 36 N, R. 41 E, PMM, MT
sec. 10 SW,W2SE;
15 N2NW;
Valley 320.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-71 ACQ
T. 36 N, R. 41 E, PMM, MT
sec. 30 LOTS 1,2,3,4;
30 E2SW;
31 LOT 1;
31 NENW;
Valley 306.26 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Standard, TES

05-05-72 PD
T. 34 N, R. 42 E, PMM, MT
sec. 5 S2NW;
Valley 80.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-73 ACQ
T. 34 N, R. 42 E, PMM, MT
sec. 21 ALL;
22 S2NW,SW;
28 N2;
Valley 1200.00 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: Cultural Resources,
Standard, TES

05-05-74 ACQ
T. 35 N, R. 42 E, PMM, MT
sec. 8 N2SE,SWSE;
9 SWNE,S2NW,W2SW;
Valley 320.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-75 PD
T. 35 N, R. 42 E, PMM, MT
sec. 8 SESE;
28 SWNW;
29 SENE;
Valley 120.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-76 ACQ

T. 36 N, R. 42 E, PMM, MT
sec. 2 LOT 4;
2 SWNW;
3 LOT 1;
3 SENE;
8 SENE,NESE,S2SE;
9 S2NW,S2;
23 E2SE;
24 NENW,S2NW,SW;

Valley 1077.50 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-77 PD

T. 36 N, R. 42 E, PMM, MT
sec. 25 S2SW;
27 SWNW,NESE;
28 SWNE;

Valley 200.00 AC
Stipulations: Cultural Resources,
Standard, TES

05-05-78 ACQ

T. 36 N, R. 42 E, PMM, MT
sec. 31 LOT 4;
31 SENE,SESW,NESE,S2SE;
32 W2SW;

Valley 313.42 AC

50% U.S. MINERAL INTEREST 1/;

Stipulations: Cultural Resources,
Standard, TES

05-05-79 ACQ

T. 34 N, R. 43 E, PMM, MT
sec. 29 W2;

Valley 320.00 AC

50% U.S. MINERAL INTEREST 1/;

Stipulations: Cultural Resources,
Standard, TES

05-05-80 PD

T. 35 N, R. 43 E, PMM, MT
sec. 6 N2SE;
7 LOT 2;
8 N2SE;
20 S2NW;
23 E2NW;

Valley 353.87 AC

Stipulations: Cultural Resources,
Standard, TES

05-05-81 ACQ

T. 35 N, R. 43 E, PMM, MT
sec. 13 S2SW;
14 E2SW,SE;

Valley 320.00 AC

Stipulations: Cultural Resources,
Standard, TES

05-05-82 PD

T. 36 N, R. 43 E, PMM, MT
sec. 1 S2NE;
6 LOT 3;
9 W2NE;
13 E2NW,S2SW;
25 SENE,E2SE;
30 S2NE;

Daniels 560.00 AC

Stipulations: CSU-1, TES

05-05-83 ACQ

T. 28 N, R. 47 E, PMM, MT
sec. 1 LOT 4;
2 LOT 1;
2 SENE;

Roosevelt 120.37 AC

50% U.S. MINERAL INTEREST 1/;

Stipulation: TES

05-05-84 ACQ

T. 29 N, R. 47 E, PMM, MT
sec. 34 W2SW;

Roosevelt 80.00 AC

50% U.S. MINERAL INTEREST 1/;

Stipulation: TES

05-05-85 PD

T. 14 N, R. 56 E, PMM, MT
sec. 32 NENE,N2NW,SEW,S2S2;
Dawson 320.00 AC
Stipulations: NSO-2, TES,
Timing-1,2

05-05-86 ACQ

T. 22 N, R. 59 E, PMM, MT
sec. 19 PARCEL OF LAND
CONTAINING 1.30 AC AS
SHOWN ON ATTACHED PLAT
#2-A-100-A DESC BY
M&B 2/;
Richland 1.30 AC
Stipulations: CSU-2, NSO-1, TES,
BOR GP-135, BOR Form 3109-1

05-05-87 PD

T. 5 S, R. 16 E, PMM, MT
sec. 12 SENW,SW,W2SE;
Stillwater 280.00 AC
Stipulations: CSU-1,
Cultural Resources,
Lease Notice-2, TES, Timing-1

05-05-88 PD

T. 5 S, R. 17 E, PMM, MT
sec. 7 NESW,N2SE;
17 NE,E2NW,NESW;
19 LOT 1;
19 NESE;
20 NENE,N2SW,SESW,SWSE;
21 N2NW,SWNW,NWSW,E2SE;
Stillwater 920.58 AC
Stipulations: CSU-1,
Cultural Resources,
Lease Notice-2, NSO-1,3, TES,
Timing-1

NORTH DAKOTA

05-05-89 ACQ

T. 151 N, R. 93 W, 5TH PM, ND
sec. 2 LOT 4;
2 SWNW;
22 NW;
28 W2;
Mountrail 559.91 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: CSU-3, Standard, TES

05-05-90 PD

T. 146 N, R. 94 W, 5TH PM, ND
sec. 4 LOTS 2,3,4;
4 SWNE,S2NW,N2SW;
6 LOTS 1-5 INCL;
6 S2NE,SEW;
18 LOTS 3,4;
18 E2SW,SE;
Dunn 933.14 AC
Stipulations: CSU-3, Standard, TES

05-05-91 PD

T. 147 N, R. 94 W, 5TH PM, ND
sec. 32 E2;
Dunn 320.00 AC
Stipulations: CSU-3,
Cultural Resources, NSO-4,
Standard, TES, Timing-4

05-05-92 PD

T. 146 N, R. 95 W, 5TH PM, ND
sec. 2 LOTS 1,2,3,4;
2 W2SW,E2SE;
Dunn 319.12 AC
Stipulations: CSU-3, Standard, TES

05-05-93 ACQ

T. 154 N, R. 95 W, 5TH PM, ND
sec. 35 S2NESW,S2N2SE,S2SE;
McKenzie 140.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1, 16-CSU-1, 18a

05-05-94 ACQ
T. 144 N, R. 96 W, 5TH PM, ND
sec. 4 LOTS 1,2,3,4;
4 S2N2,SW;
7 LOTS 3,4;
7 E2SW,SE;
10 NE,S2;
Dunn 1295.49 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: CSU-3, Standard, TES

05-05-95 ACQ
T. 145 N, R. 96 W, 5TH PM, ND
sec. 14 E2;
Dunn 320.00 AC
50% U.S. MINERAL INTEREST 1/;
Stipulations: CSU-3, Standard, TES

05-05-96 PD
T. 145 N, R. 98 W, 5TH PM, ND
sec. 12 E2NE,N2SW,SE;
McKenzie 320.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1, 16-CSU-1, 18a

05-05-97 ACQ
T. 145 N, R. 98 W, 5TH PM, ND
sec. 24 SWNE,NWSE,S2SE;
25 NE EXCL 7.00 AC IN HWY
ROW;
25 SE;
McKenzie 473.00
Stipulations: R1-FS-2820-13d,
14-NSO-1, 16-CSU-1, 18a

05-05-98 ACQ
T. 145 N, R. 100 W, 5TH PM, ND
sec. 2 LOTS 1,2;
2 S2NE,SE;
McKenzie 318.92 AC
95% U.S. MINERAL INTEREST 1/;
Stipulations: R1-FS-2820-13d,
14-NSO-1,2, 15-Timing-1,
16-CSU-1,2, 18a

05-05-99 ACQ
T. 145 N, R. 100 W, 5TH PM, ND
sec. 2 LOTS 3,4;
2 S2NW,SW;
10 N2;
12 E2;
14 S2;
McKenzie 1278.84 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,4, 16-CSU-1,2,3, 18a,
22c

05-05-100 ACQ
T. 145 N, R. 100 W, 5TH PM, ND
sec. 15 ALL;
22 S2;
25 ALL;
30 NWNE,S2NE,N2SE,SWSE;
McKenzie 1840.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,4,5,6, 15-Timing-2,
16-CSU-1,2,3, 18a, 22c

05-05-101 PD
T. 145 N, R. 100 W, 5TH PM, ND
sec. 20 ALL;
McKenzie 640.00 AC
Stipulations: TES,
R1-FS-2820-14-NSO-1,3,
16-CSU-1,2,4
Split Estate 3/

05-05-102 ACQ
T. 145 N, R. 100 W, 5TH PM, ND
sec. 21 ALL;
McKenzie 640.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,4, 16-CSU-1,2,3, 18a,
22c

05-05-103 ACQ

T. 147 N, R. 101 W, 5TH PM, ND
sec. 31 LOTS 2, 4-8 INCL;
31 SENW,E2SW,SE;
McKenzie 495.03 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,7, 15-Timing-2,3,
16-CSU-1,2,3,5, 18a

05-05-104 PD

T. 147 N, R. 101 W, 5TH PM, ND
sec. 34 E2;
McKenzie 320.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,8, 15-Timing-2,3,
16-CSU-1,2,5, 18a

05-05-105 ACQ

T. 144 N, R. 102 W, 5TH PM, ND
sec. 8 LOTS 2,3,6;
21 LOT 8;
21 S2SW;
Billings 221.54 AC
Stipulations: TES,
R1-FS-2820-14-NSO-1,7,
16-CSU-1,2,3,4
Split Estate 3/

05-05-106 ACQ

T. 144 N, R. 102 W, 5TH PM, ND
sec. 21 LOTS 2,3,7;
Billings 58.94 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,7, 16-CSU-1,2,3, 18a

05-05-107 ACQ

T. 148 N, R. 102 W, 5TH PM, ND
sec. 17 E2,E2NW,N2SW;
18 LOTS 2,3,4;
18 NWNE,E2W2,SE;
McKenzie 942.09 AC
Stipulations: TES,
R1-FS-2820-14-NSO-1,
16-CSU-4
Split Estate 3/

05-05-108 ACQ

T. 148 N, R. 102 W, 5TH PM, ND
sec. 19 LOTS 1,2,3,4;
19 E2,E2W2;
20 E2;
McKenzie 937.44 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,5, 15-Timing-2, 16-CSU-1,
18a

05-05-109 PD

T. 148 N, R. 102 W, 5TH PM, ND
sec. 20 W2;
McKenzie 320.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1, 15-Timing-2, 16-CSU-1,
18a

05-05-110 ACQ

T. 148 N, R. 102 W, 5TH PM, ND
sec. 21 W2;
28 ALL;
McKenzie 960.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,5, 15-Timing-2, 16-CSU-1,
18a

05-05-111 ACQ

T. 148 N, R. 102 W, 5TH PM, ND
sec. 22 ALL;
24 ALL;
McKenzie 1280.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3,5, 15-Timing-2,
16-CSU-1, 18a

05-05-112 ACQ

T. 148 N, R. 102 W, 5TH PM, ND
sec. 25 ALL;
26 ALL;
McKenzie 1280.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3, 15-Timing-2, 16-CSU-1,
18a

05-05-113 ACQ
T. 145 N, R. 103 W, 5TH PM, ND
sec. 2 LOT 3;
2 SENW,E2SE;
4 LOTS 3,4;
4 S2NW,SE;
McKenzie 479.97 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,3, 15-Timing-2, 16-CSU-1,
18a

05-05-114 PD
T. 145 N, R. 103 W, 5TH PM, ND
sec. 6 LOTS 1,3,4;
6 SENE;
22 W2NW,SW,W2SE;
McKenzie 471.88 AC
Stipulations: TES,
R1-FS-2820-14-NSO-1, 16-CSU-1,4
Split Estate 3/

05-05-115 ACQ
T. 145 N, R. 103 W, 5TH PM, ND
sec. 6 NESW;
10 E2W2;
14 NW;
McKenzie 360.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,5, 15-Timing-2, 16-CSU-1,
18a

05-05-116 ACQ
T. 145 N, R. 103 W, 5TH PM, ND
sec. 8 ALL;
McKenzie 640.00 AC
Stipulations: TES,
R1-FS-2820-14-NSO-1, 16-CSU-1,4
Split Estate 3/

05-05-117 ACQ
T. 145 N, R. 103 W, 5TH PM, ND
sec. 28 S2;
30 LOT 4;
34 N2,SE;
McKenzie 838.32 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1, 16-CSU-1, 18a

05-05-118 PD
T. 145 N, R. 103 W, 5TH PM, ND
sec. 10 E2E2,W2W2;
12 ALL;
14 S2;
22 E2E2;
28 N2;
34 SW;
McKenzie 1920.00 AC
Stipulations: R1-FS-2820-13d,
14-NSO-1,5, 15-Timing-2, 16-CSU-1,
18a

05-05-119 PD
T. 151 N, R. 104 W, 5TH PM, ND
sec. 2 LOT 8;
3 N2SW;
4 LOTS 6,7,8;
4 N2SE;
10 LOTS 1,2,3;
11 LOT 2;
McKenzie 381.20 AC
Stipulations: CSU-3,
Cultural Resources, NSO-5,6,
Standard, TES, Timing-5,
BOR GP-135, BOR Form 3109-1

05-05-120 PD
T. 151 N, R. 104 W, 5TH PM, ND
sec. 14 SESE;
23 LOTS 1,4,5,8;
23 E2E2;
24 SWNW;
McKenzie 373.80 AC
Stipulations: CSU-3,
Cultural Resources, Standard, TES

STATISTICS

Total Parcels:	120
Total Acreage:	115,582.92
No. of Parcels with Presale Offers	3
Parcel Numbers:	05-05-01 05-05-02 05-05-03
Total Acres with Presale Offers:	3960.56

FOOTNOTES

- 1/ These parcels have fractional interests. Rentals are payable on total acres; royalties are payable on fractional interest.
- 2/ The exact metes and bounds description will be made a part of any lease issued for these lands.
- 3/ All or part of the lands are non-federal surface (split estate) with title to the mineral estate held by the United States. Due to this status, the mineral estate is administered by the Bureau of Land Management (BLM). Permits and approvals will be issued by the authorized BLM Officer. A notice will be attached at lease issuance. This notice will include legal descriptions and information for filing APDs.

Parcel No. _____

Serial No. _____

**NOTICE FOR SPLIT ESTATE LANDS UNDER THE JURISDICTION
OF THE BUREAU OF LAND MANAGEMENT**

SPLIT ESTATE LANDS: The lands included in this lease are split estate. Title to the mineral estate is held by the United States and the surface is non-federal ownership. Due to this status the mineral estate is administered by the BLM even though these lands are within a U.S. Forest Service withdrawal.

For split estate lands, BLM places necessary lease stipulations and conditions of approval on permitted activities and works in cooperation with the surface owner.

SURFACE MANAGEMENT OF NON-FEDERAL SURFACE LANDS: The BLM has the statutory authority to require lease stipulations and conditions of approval for activities of its lessees to minimize adverse impacts that may result from Federally-authorized mineral lease activities. These stipulations and conditions of approval are intended to comply with the BLM's responsibilities under the Endangered Species Act, the National Historic Preservation Act, and the National Environmental Policy Act and to protect or preserve the privately-owned resources while preventing adverse impacts to adjoining lands, not to dictate management to the surface owner.

APPLICATIONS FOR PERMIT TO DRILL (APDs): The following BLM office is responsible for the receipt, processing, and approval of APDs. This office is located at:

North Dakota Field Office
2933 Third Avenue West
Dickinson, North Dakota 58601-2619

The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 - Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations of federal oil and gas leases can be found in the Code of Federal regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM office listed above. Early coordination with this office on proposals is encouraged.

05-05-101,05-05-105,05-05-107,05-05-114,05-05-116

CONTROLLED SURFACE USE STIPULATION

Serial No. _____

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-25	T 14 N, R 30 E, PMM
	Sec 2 LOTS 1,2,3
	2 S2NE, SENW, SE

CSU-1
PAGE 1 OF 5

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-26	T 15 N, R 30 E, PMM Sec 1 LOT 5 1 POR LOT 7 OUTSIDE MUSSELSHELL BREAKS WSA 1 POR LOT 8 OUTSIDE MUSSELSHELL BREAKS WSA 1 SWSE 1 POR S2NW OUTSIDE MUSSELSHELL BREAKS WSA 10 NWSW,S2SW 10 POR S2NESW OUTSIDE MUSSELSHELL BREAKS WSA 10 POR SE OUTSIDE MUSSELSHELL BREAKS WSA 13 SWSW 14 S2 14 POR N2 OUTSIDE MUSSELSHELL BREAKS WSA 15 ALL
05-05-27	T 15 N, R 30 E, PMM Sec 22 N2NE,SENE,NWNW,S2NW,NESW, S2SW,SE 23 ALL 24 W2 26 SW,N2SE,SWSE 27 N2NE,SENE 34 LOTS 1,2,3,4,6
05-05-33	T 10 N, R 38 E, PMM Sec 2 LOTS 1,2,3,4 2 S2N2,S2 12 W2 14 ALL 24 N2
05-05-34	T 10 N, R 38 E, PMM Sec 4 S2NE,E2SW,SE 8 ALL 10 ALL

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-35	T 10 N, R 38 E, PMM Sec 22 E2 26 N2N2,SWNW,W2SW,SESW 28 NE,N2NW,E2SE 34 W2
05-05-36	T 11 N, R 38 E, PMM Sec 2 LOTS 1,2,3,4 2 S2N2,S2 4 S2 10 ALL
05-05-37	T 11 N, R 38 E, PMM Sec 14 ALL 22 S2NW,SW,W2SE 24 N2N2,S2
05-05-38	T 11 N, R 38 E, PMM Sec 26 ALL 28 ALL 34 ALL
05-05-39	T 10 N, R 39 E, PMM Sec 10 ALL 12 ALL
05-05-40	T 10 N, R 39 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2 6 LOTS 1,2,3,4,5,6,7 6 S2NE,SENW,E2SW,SE 8 SENE,SWNW,NWSW,NESE
05-05-41	T 10 N, R 39 E, PMM Sec 14 ALL 24 E2 26 ALL
05-05-42	T 10 N, R 39 E, PMM Sec 18 LOTS 1,2,3,4 18 E2,E2W2 20 S2 30 LOT 1 30 NWNE,NENW,NESE
05-05-43	T 10 N, R 39 E, PMM Sec 28 E2 34 ALL

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-44	T 11 N, R 39 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2 6 LOTS 6,7 6 E2SW,SE 8 ALL
05-05-45	T 11 N, R 39 E, PMM Sec 10 ALL 12 W2 14 ALL
05-05-46	T 11 N, R 39 E, PMM Sec 18 LOTS 1,2 18 NE,E2NW 20 ALL 30 LOTS 3,4 30 E2,E2SW
05-05-47	T 11 N, R 39 E, PMM Sec 22 ALL 24 ALL 26 ALL
05-05-48	T 11 N, R 39 E, PMM Sec 28 ALL 32 ALL 34 ALL
05-05-49	T 9 N, R 40 E, PMM Sec 8: ALL 10 W2 20 W2SW,E2SE
05-05-50	T 9 N, R 40 E, PMM Sec 12 E2
05-05-51	T 10 N, R 40 E, PMM Sec 6 LOTS 1,2,3,4,5,6,7 6 S2NE,SENE,E2SW,SE 8 W2 10 ALL
05-05-52	T 10 N, R 40 E, PMM Sec 18 LOTS 1,2,3,4 18 E2,E2W2 20 W2 30 LOTS 1,2,3,4 30 E2,E2W2

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-53	T 10 N, R 40 E, PMM Sec 22 E2 26 W2W2 34 E2
05-05-54	T 11 N, R 40 E, PMM Sec 18 LOTS 1,2,3,4 18 E2W2
05-05-55	T 11 N, R 40 E, PMM Sec 20 ALL 30 LOTS 1,2,3,4 30 E2,E2W2
05-05-56	T 11 N, R 40 E, PMM Sec 28 N2 32 ALL 34 E2E2,W2W2
05-05-82	T 36 N, R 43 E, PMM Sec 13 E2NW,S2SW 25 E2SE
05-05-87	T 5 S, R 16 E, PMM Sec 12 NWSW,S2SW,W2SE
05-05-88	T 5 S, R 17 E, PMM Sec 7 NESW 20 NENE

CONTROLLED SURFACE USE STIPULATION

Serial No. _____

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

For the purpose of:

To control the visual impacts of activities and facilities to within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-25	T 14 N, R 30 E, PMM Sec 12 S2 14 NWSW
05-05-26	T 15 N, R 30 E, PMM Sec 1 LOT 5 1 POR LOT 7 OUTSIDE MUSSELSHELL BREAKS WSA 1 POR LOT 8 OUTSIDE MUSSELSHELL BREAKS WSA 1 SWSE 1 POR S2NW OUTSIDE MUSSELSHELL BREAKS WSA 13 SWSW 14 S2 14 POR N2 OUTSIDE MUSSELSHELL BREAKS WSA 15 ALL
05-05-27	T 15 N, R 30 E, PMM Sec 22 NENE 23 N2,N2SE

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PAGE 1 OF 2

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-28	T 14 N, R 31 E, PMM Sec 8 N2
05-05-31	T 15 N, R 31 E, PMM Sec 6 LOTS 10,11 7 POR LOT D OUTSIDE MUSSELSHELL BREAKS WSA
05-05-32	T 15 N, R 31 E, PMM Sec 18 LOTS 11,12 30 LOTS 5,6,7,8
05-05-33	T 10 N, R 38 E, PMM Sec 2 LOTS 1,2,3,4 2 S2N2,S2
05-05-38	T 11 N, R 38 E, PMM Sec 26 ALL
05-05-40	T 10 N, R 39 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2 6 LOTS 1,2,3,4,5,6,7 6 S2NE,SE,SW,E2SW,SE
05-05-48	T 11 N, R 39 E, PMM Sec 28 ALL 32 ALL 34 W2
05-05-86	T 22 N, R 59 E, PMM Sec 19 PARCEL OF LAND IN W2 CONTAINING 1.30 ACRES DESCRIBED BY M&B

CONTROLLED SURFACE USE STIPULATION

Serial No. _____

Surface occupancy or use would be subject to the following special operating constraint: No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

For the purpose of:

1. Protection of riparian habitat (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-89	T 151 N, R 93 W, 5 TH PM ND ACQ Sec 2 LOT 4 2 SWNW 22 N2NW, SENW 28 SENW, N2SW, SWSW
05-05-90	T 146 N, R 94 W, 5 TH PM ND PD Sec 4 LOTS 2, 3, 4 4 SWNE, S2NW, N2SW 6 LOTS 1, 2, 3, 4, 5 6 S2NE, SENW 18 LOT 3 18 E2SW, SE
05-05-91	T 147 N, R 94 W, 5 TH PM ND PD Sec 32 E2
05-05-92	T 146 N, R 95 W, 5 TH PM ND PD Sec 2 LOTS 1, 2, 3, 4 2 SWSW, E2SE
05-05-94	T 144 N, R 96 W, 5 TH PM ND ACQ Sec 4 LOTS 1, 2, 3, 4 4 S2N2, SW 7 LOTS 3, 4 7 SE 10 S2
05-05-95	T 145 N, R 96 W, 5 TH PM ND ACQ Sec 14 NE
05-05-119	T 151 N, R 104 W, 5 TH PM ND PD Sec 3 NWSW 4 LOTS 6, 7, 8 4 NESE
05-05-120	T 151 N, R 104 W, 5 TH PM ND PD Sec 14 SESE 23 LOTS 1, 4, 5, 8 23 E2E2 24 SWNW

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PAGE 1 OF 1

Cultural Resources Lease Stipulation

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

PARCEL NUMBER

05-05-01,05-05-02,05-05-03,05-05-04,05-05-05,05-05-06,
05-05-07,05-05-08,05-05-09,05-05-10,05-05-11,05-05-12,
05-05-13,05-05-14,05-05-15,05-05-16,05-05-17,05-05-18,
05-05-19,05-05-20,05-05-21,05-05-22,05-05-23,05-05-24,
05-05-57,05-05-58,05-05-59,05-05-60,05-05-61,05-05-62,
05-05-63,05-05-64,05-05-65,05-05-66,05-05-67,05-05-68,
05-05-69,05-05-70,05-05-71,05-05-72,05-05-73,05-05-74,
05-05-75,05-05-76,05-05-77,05-05-78,05-05-79,05-05-80,
05-05-81,05-05-87,05-05-88,05-05-91,05-05-119,05-05-120

CULTURAL RESOURCES STIPULATION
PAGE 1 OF 1

LEASE NOTICE

Serial No. _____

Land Use Authorizations incorporate specific surface land uses allowed on BLM administered lands by authorized officers and those surface uses acquired by BLM on lands administered by other entities. These BLM authorizations include rights-of-way, leases, permits, conservation easements, and Recreation and Public Purpose leases and patents.

The rights acquired, reserved, or withdrawn by BLM for specified purposes include non-oil and gas leases, conservation easements, archeological easements, road easements, fence easements, and administrative site withdrawals. The existence of such land use authorizations shall not preclude the leasing of the oil and gas. The locations of land use authorizations are noted on the oil and gas plats and in LR2000. The plats are a visual source noting location; LR2000 provides location by legal description through the Geographic Cross Reference program.

The specifically authorized acreage for land use should be avoided by oil and gas exploration and development activities. All authorized surface land uses are valid claims to prior existing rights unless the authorization states otherwise.

The right of the Secretary to issue future land use authorizations on an oil and gas lease is reserved by provision of Section 29 of the Mineral Leasing Act, 30 U.S.C.

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 13 ALL 14 NE,N2SE 15 NW
05-05-03	T 9 N, R 26 E, PMMM Sec 18 E2NW 31 LOT 3 31 E2W2

LEASE NOTICE-1
PAGE 1 OF 1

LEASE NOTICE
CULTURAL RESOURCES

Serial No. _____

The surface Management Agency is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in NTL-MSO-85-1.

This notice would be consistent with the present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 11 ALL 12 NW 13 ALL 15 N2NE,NW 22 SW 24 NE
05-05-02	T 9 N, R 26 E, PMM Sec 12 NE,S2S2
05-05-03	T 9 N, R 26 E, PMM Sec 18 E2NW 30 E2 31 LOTS 1,2,3,4 31 E2,E2W2 32 E2
05-05-87	T 5 S, R 16 E, PMM Sec 12 SENW,SW,W2SE
05-05-88	T 5 S, R 17 E, PMM Sec 7 NESW,N2SE 17 NE,E2NW,NESW 19 LOT 1 19 NESE 20 NENE,N2SW,SESW,SWSE 21 N2NW,SWNW,NWSW,E2SE

LEASE NOTICE-2
PAGE 1 OF 1

NO SURFACE OCCUPANCY STIPULATION

Serial No. _____

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 11 N2NE, SENW, NESW, SWSW 12 NWNW
05-05-03	T 9 N, R 26 E, PMM Sec 31 LOT 4 31 SESW, S2SE
05-05-25	T 14 N, R 30 E, PMM Sec 2 LOTS 1, 2, 3 2 SENW
05-05-26	T 15 N, R 30 E, PMM Sec 9 LOT 9
05-05-27	T 15 N, R 30 E, PMM Sec 34 LOTS 1, 2, 3, 4, 6
05-05-28	T 14 N, R 31 E, PMM Sec 6 LOT 1 6 SENE, E2SE
05-05-86	T 22 N, R 59 E, PMM Sec 19 PARCEL OF LAND IN W2 CONTAINING 1.30 ACRES DESCRIBED BY M&B
05-05-88	T 5 S, R 17 E, PMM Sec 17 SENW, NESW

NSO-1
PAGE 1 OF 1

NO SURFACE OCCUPANCY STIPULATION

Serial N). _____

Surface occupancy and use is prohibited within 1/4 mile of grouse leks.

On the lands described below:

For the purpose of:

To protect the sharptail and sage grouse lek sites necessary for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 24 NE
05-05-03	T 9 N, R 26 E, PMM Sec 18 E2NW
05-05-45	T 11 N, R 39 E, PMM Sec 10 S2NE,N2SE
05-05-48	T 11 N, R 39 E, PMM Sec 32 NWNE,N2NW,SEnw,SWSW
05-05-55	T 11 N, R 40 E, PMM Sec 20 S2
05-05-85	T 14 N, R 56 E, PMM Sec 32 SWSE

NO SURFACE OCCUPANCY STIPULATION

Serial No. _____

Surface occupancy and use is prohibited in the designated Bighorn Sheep Range.

On the lands described below:

For the purpose of:

To protect the limited area of bighorn sheep habitat in southeastern Montana.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-88	T 5 S, R 17 E, PMM Sec 17 NE,E2NW,NESW

NSO-3
PAGE 1 OF 1

NO SURFACE OCCUPANCY STIPULATION

Serial No. _____

No surface occupancy (NSO) or use would be allowed within one-half mile of prairie falcon nests known to be occupied at least once within the seven previous years on the lands described below (legal subdivision or other description).

For the purpose of:

Protection of prairie falcon nesting (NDRMP-p. 20)

Any change to this stipulation will be made in accordance with the land use plan and/or regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LAND DESCRIPTION</u>
05-05-91	T 147 N, R 94 W, 5 TH PM ND PD Sec 32 NENE

NO SURFACE OCCUPANCY STIPULATION

Serial No. _____

No surface occupancy (NSO) or use would be allowed within 200 feet of wetlands, lakes, and ponds on the lands described below (legal subdivision or other description).

For the purpose of:

Protection of wetlands (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-119	T 151 N, R 104 W, 5 TH PM ND PD
	Sec 3 NWSW
	4 LOTS 6,7,8
	4 NESE

NSO-5
PAGE 1 OF 1

NO SURFACE OCCUPANCY STIPULATION

Serial No. _____

No surface occupancy (NSO) would be allowed in the floodplain of the Yellowstone River on the lands described below (legal subdivision or other description)

For the purpose of:

Protection of the floodplain from possible pollution (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-119	T 151 N, R 104 W, 5 TH PM ND PD
	Sec 2 LOT 8
	10 LOTS 1,2,3
	11 LOT 2

OIL AND GAS LEASE STIPULATIONS

ESTHETICS--To maintain esthetic values, all surface-disturbing activities, semipermanent and permanent facilities may require special design including location, painting and camouflage to blend with the natural surroundings and meet the intent of the visual quality objectives of the Federal Surface Managing Agency (SMA).

EROSION CONTROL--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

CONTROLLED OR LIMITED SURFACE USE STIPULATION --This stipulation may be modified, consistent with land use documents, when specifically approved in writing by the Bureau of Land Management (BLM) with concurrence of the SMA. Distances and/or time periods may be made less restrictive depending on the actual onground conditions. The prospective lessee should contact the SMA for more specific locations and information regarding the restrictive nature of this stipulation.

The lessee/operator is given notice that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Possible special areas are identified below. Any surface use or occupancy within such special areas will be strictly controlled, or **if absolutely necessary**, excluded. Use or occupancy will be restricted only when the BLM and/or the SMA demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. Appropriate modifications to imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

After the SMA has been advised of specific proposed surface use or occupancy on the leased lands, and on request of the lessee/operator, the Agency will furnish further data on any special areas which may include:

100 feet from the edge of the rights-of-way from highways, designated county roads and appropriate federally-owned or controlled roads and recreation trails.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers, and domestic water supplies.

500 feet from grouse strutting grounds. Special care to avoid nesting areas associated with strutting grounds will be necessary during the period from March 1, to June 30. One-fourth mile from identified essential habitat of state and federal sensitive species. Crucial wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas during the period from May 1 to June 30.

300 feet from occupied buildings, developed recreational areas, undeveloped recreational areas receiving concentrated public use and sites eligible for or designated as National Register sites.

Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.

On slopes over 30 percent or 20 percent on extremely erodable or slumping soils.

Standard
PAGE 1 OF 3

See Notice on Back

NOTICE

APPLICATIONS FOR PERMIT TO DRILL (APDs)--The appropriate BLM field offices are responsible for the receipt, processing, and approval of APDs. The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 -- Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations can be found in the Code of Federal Regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM field offices in which the operations are proposed. Early coordination with these offices on proposals is encouraged.

CULTURAL AND PALEONTOLOGICAL RESOURCES--The SMA is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the SMA, shall:

1. Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:
2. Engage the services of a cultural resource specialist acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as testing salvage and recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited.

The operator shall immediately bring to the attention of the SMA any cultural or paleontological resources discovered as a result of approved operations under this lease, and not disturb such discoveries until directed to proceed by the SMA.

ENDANGERED OR THREATENED SPECIES--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats.

The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

PARCEL NUMBER

05-05-04,05-05-05,05-05-06,05-05-07,05-05-08,05-05-09,
05-05-10,05-05-11,05-05-12,05-05-13,05-05-14,05-05-15,
05-05-16,05-05-17,05-05-18,05-05-19,05-05-20,05-05-21,
05-05-22,05-05-23,05-05-24,05-05-57,05-05-58,05-05-59,
05-05-60,05-05-61,05-05-62,05-05-63,05-05-64,05-05-65,
05-05-66,05-05-67,05-05-68,05-05-69,05-05-70,05-05-71,
05-05-73,05-05-74,05-05-75,05-05-76,05-05-77,05-05-78,
05-05-79,05-05-80,05-05-81,05-05-89,05-05-90,05-05-91,
05-05-92,05-05-94,05-05-95,05-05-119,05-05-120

STANDARD
PAGE 3 OF 3

Endangered Species Act Section 7 Consultation Stipulation

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

PARCEL NUMBER

05-05-01,05-05-02,05-05-03,05-05-04,05-05-05,05-05-06,
05-05-07,05-05-08,05-05-09,05-05-10,05-05-11,05-05-12,
05-05-13,05-05-14,05-05-15,05-05-16,05-05-17,05-05-18,
05-05-19,05-05-20,05-05-21,05-05-22,05-05-23,05-05-24,
05-05-25,05-05-26,05-05-27,05-05-28,05-05-29,05-05-30,
05-05-31,05-05-32,05-05-33,05-05-34,05-05-35,05-05-36,
05-05-37,05-05-38,05-05-39,05-05-40,05-05-41,05-05-42,
05-05-43,05-05-44,05-05-45,05-05-46,05-05-47,05-05-48,
05-05-49,05-05-50,05-05-51,05-05-52,05-05-53,05-05-54,
05-05-55,05-05-56,05-05-57,05-05-58,05-05-59,05-05-60,
05-05-61,05-05-62,05-05-63,05-05-64,05-05-65,05-05-66,
05-05-67,05-05-68,05-05-69,05-05-70,05-05-71,05-05-72,
05-05-73,05-05-74,05-05-75,05-05-76,05-05-77,05-05-78,
05-05-79,05-05-80,05-05-81,05-05-82,05-05-83,05-05-84,
05-05-85,05-05-86,05-05-87,05-05-88,05-05-89,05-05-90,
05-05-91,05-05-92,05-05-93,05-05-94,05-05-95,05-05-101,
05-05-105,05-05-107,05-05-116,05-05-119,05-05-120

TIMING LIMITATION STIPULATION

Serial No. _____

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 11 ALL 12 NW 14 NE,N2SE,SWSE 15 N2NE,NW
05-05-02	T 9 N, R 26 E, PMM Sec 12 NE,S2S2
05-05-25	T 14 N, R 30 E, PMM Sec 34 SENW,SW
05-05-29	T 14 N, R 31 E, PMM Sec 12 S2 24 N2NE,SENE,S2SE
05-05-32	T 15 N, R 31 E, PMM Sec 26 S2

TIMING-1
PAGE 1 OF 4

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-33	T 10 N, R 38 E, PMM Sec 12 S2SW 14 ALL 24 N2
05-05-34	T 10 N, R 38 E, PMM Sec 4 S2NE,E2SW,SE 8 ALL 10 W2,NWSE,S2SE
05-05-35	T 10 N, R 38 E, PMM Sec 22 E2 26 N2N2,SWNW,W2SW,SESW 28 NE,N2NW,E2SE 34 W2
05-05-39	T 10 N, R 39 E, PMM Sec 2 LOTS 1,2,3,4 2 S2N2,S2 10 ALL 12 ALL
05-05-40	T 10 N, R 39 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2 6 LOTS 1,2,3,4,5,6,7 6 SE 8 SENE,SWNW,NWSW,NESE
05-05-41	T 10 N, R 39 E, PMM Sec 14 ALL 24 E2 26 ALL
05-05-42	T 10 N., R 39 E., PMM Sec 18 LOTS 1,2,3,4 18 E2,E2W2 20 S2 30 LOT 1 30 NWNE,NENW,NESE
05-05-43	T 10 N, R 39 E, PMM Sec 28 E2 34 ALL

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PARCEL NUMBER	LEGAL DESCRIPTION
05-05-47	T 11 N, R 39 E, PMM Sec 22 S2S2 26 ALL
05-05-48	T 11 N, R 39 E, PMM Sec 28 NE,S2 32 SENE,NESE,S2SE 34 W2
05-05-49	T 9 N, R 40 E, PMM Sec 8 ALL 20 W2SW,E2SE
05-05-50	T 9 N, R 40 E, PMM Sec 24 N2 34 NWNE,NENW,W2W2,S2SE
05-05-51	T 10 N, R 40 E, PMM Sec 8 W2
05-05-52	T 10 N, R 40 E, PMM Sec 18 LOTS 1,2,3,4 18 E2,E2W2 20 W2 30 LOTS 1,2,3,4 30 E2,E2W2
05-05-55	T 11 N, R 40 E, PMM Sec 30 LOTS 3,4 30 E2SW
05-05-56	T 11 N, R 40 E, PMM Sec 32 SWSW
05-05-85	T 14 N, R 56 E, PMM Sec 32 NENE,N2NW,SEnw,S2S2
05-05-87	T 5 S, R 16 E, PMM Sec 12 SENW,SW,W2SE

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-88	T 5 S, R 17 E, PMM
	Sec 7 NESW,N2SE
	17 NE,E2NW,NESW
	19 LOT 1
	19 NESE
	20 NENE,N2SW,SESW,SWSE
	21 N2NW,SWNW,NWSW,E2SE

TIMING-1
PAGE 4 OF 4

TIMING LIMITATION STIPULATION

Serial No. _____

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect sharp-tail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-01	T 9 N, R 26 E, PMM Sec 11 W2NE, NENW, NWSW, NESE, S2SE 13 ALL 14 NE, N2SE, SWSE 15 N2NW, SWNW 22 SW 24 NE
05-05-02	T 9 N, R 26 E, PMM Sec 12 NE, S2S2
05-05-03	T 9 N, R 26 E, PMM Sec 18 E2NW 30 E2 31 LOTS 1, 2, 3, 4 31 E2, E2W2 32 E2

TIMING-2
PAGE 1 OF 4

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-31	T 15 N, R 31 E, PMM Sec 4 LOT 5 5 LOTS 5,6,7,8 5 S2N2,NESE,S2SE 7 S2SE 7 POR LOT 7 OUTSIDE MUSSELSHELL BREAKS WSA 8 SENW 9 NWNE,S2NW,N2SW,SESW,W2SE 10 NENW
05-05-32	T 15 N, R 31 E, PMM Sec 18 LOTS 11,12 20 SESW 34 N2NE
05-05-35	T 10 N, R 38 E, PM Sec 22 E2 26 N2N2,SWNW,W2SW,SESW 28 NE,N2NW,E2SE 34 W2
05-05-36	T 11 N, R 38 E, PM Sec 4 S2 10 ALL
05-05-37	T 11 N, R 38 E, PMM Sec 14 ALL 24 SE
05-05-39	T 10 N, R 39 E, PMM Sec 10 ALL
05-05-40	T 10 N, R 39 E, PMM Sec 4 S2N2,S2 6 SE 8 SENE,SWNW,NWSW,NESE
05-05-41	T 10 N, R 39 E, PMM Sec 14 W2NE,NW,SW,W2SE
05-05-42	T 10 N, R 39 E, PMM Sec 18 E2 20 S2

TIMING-2
PAGE 2 OF 4

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-43	T 10 N, R 39 E, PMM Sec 28 NE,N2SE
05-05-44	T 11 N, R 39 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2 6 LOTS 6,7 6 E2SW,SE 8 ALL
05-05-45	T 11 N, R 39 E, PMM Sec 12 W2 14 ALL
05-05-46	T 11 N, R 39 E, PMM Sec 18 LOTS 1,2 18 NE,E2NW 20 ALL 30 LOTS 3,4 30 E2,E2SW
05-05-48	T 11 N, R 39 E, PMM Sec 28 ALL 32 NENE,S2NE,SWNW,S2 34 W2
05-05-49	T 9 N, R 40 E, PMM Sec 10 W2 20 W2SW,E2SE
05-05-50	T 9 N, R 40 E, PMM Sec 12 E2 24 N2 34 NWNE,NENW,W2W2,S2SE
05-05-51	T 10 N, R 40 E, PMM Sec 6 LOTS 1,2,3,4,5,6,7 6 S2NE,SENW,E2SW,SE 10 ALL

PARCEL NUMBER	LEGAL DESCRIPTION
05-05-53	T 10 N, R 40 E, PMM Sec 22 E2 26 W2NW,NWSW 34 SENE,SE
05-05-54	T 11 N, R 40 E, PMM Sec 4 LOTS 1,2,3,4 4 S2N2,S2
05-05-55	T 11 N, R 40 E, PMM Sec 20 N2 30 LOTS 1,2,3,4 30 E2,E2W2
05-05-56	T 11 N, R 40 E, PMM Sec 28 N2 32 N2 34 E2E2,W2W2
05-05-85	T 14 N, R 56 E, PMM Sec 32 SENW,S2SW,SESE

TIMING-2
PAGE 4 OF 4

TIMING LIMITATION STIPULATION

Serial No. _____

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

Surface use is prohibited from March 1 to August 1 within one-half mile of raptor nest sites which have been active with the past 2 years.

On the lands described below:

For the purpose of (reasons):

To protect nest sites of raptors which have been identified as species of special concern.

Any change to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-47	T 11 N, R 39 E, PMM Sec 26 S2S2,NWSE,NESW

TIMING-3
PAGE 1 OF 1

TIMING LIMITATION STIPULATION

Serial No. _____

No surface use (NSU) would be allowed within one-half mile of occupied prairie falcon nests during the following time period: March 15 to July 15. This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

Protection of prairie falcon nesting (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-91	T 147 N, R 94 W, PMM Sec 32 NENE

TIMING-4
PAGE 1 OF 1

TIMING LIMITATION STIPULATION

Serial No. _____

Surface occupancy or use would be subject to the following special operating constraint: No seismic exploration would be allowed within 500 feet of waterfowl nesting habitat during the following time period(s): between March 1 and July 1.

On the lands described below:

For the purpose of (reasons):

Protection of nesting waterfowl (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-119	T 151 N, R 104 W, 5 TH PM ND PD
	Sec 3 NWSW
	4 LOTS 6,7,8
	4 NESE

TIMING-5
PAGE 1 OF 1

SPECIAL STIPULATION - BUREAU OF RECLAMATION

To avoid interference with recreation development and/or impacts to fish and wildlife habitat and to assist in preventing damage to any Bureau of Reclamation dams, reservoirs, canals, ditches, laterals, tunnels, and related facilities, and contamination of the water supply therein, the lessee agrees that the following conditions shall apply to all exploration and developmental activities and other operation of the works thereafter on lands covered by this lease:

1. Prior to commencement of any surface-disturbing work including drilling, access road work, and well location construction, a surface use and operations plan will be filed with the appropriate officials. A copy of this plan will be furnished to the Regional Director, Great Plains Region, Bureau of Reclamation, P.O. Box 36900, Billings, MT 59107-6900, for review and consent prior to approval of the plan. Such approval will be conditioned on reasonable requirements needed to prevent soil erosion, water pollution, and unnecessary damages to the surface vegetation and other resources, including cultural resources, of the United States, its lessees, permittees, or licensees, and to provide for the restoration of the land surface and vegetation. The plan shall contain provisions as the Bureau of Reclamation may deem necessary to maintain proper management of the water, recreation, lands structures, and resources, including cultural resources, within the prospecting, drilling, or construction area.

Drilling sites for all wells and associated investigations such as seismograph work shall be included in the above-mentioned surface use and operation plan.

If later explorations require departure from or additions to the approved plan, these revisions or amendments, together with a justification statement for proposed revisions, will be submitted for approval to the Regional Director, Great Plains Region, Bureau of Reclamation, or his authorized representative.

Any operations conducted in advance of approval of an original, revised, or amended prospecting plan, or which are not in accordance with an approved plan constitute a violation of the terms of this lease. The Bureau of Reclamation reserves the right to close down operations until such corrective action, as is deemed necessary, is taken by the lessee.

2. No occupancy of the surface of the following excluded areas is authorized by this lease. It is understood and agreed that the use of these areas for Bureau of Reclamation purposes is superior to any other use. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project where the United States owns 100 percent of the fee mineral interest.

- a. Within 500 feet on either side of the centerline of any and all roads or highways within the leased area.
- b. Within 200 feet on either side of the centerline of any and all trails within the leased area.
- c. Within 500 feet of the normal high-water line of any and all live streams in the leased area.
- d. Within 400 feet of any and all recreation developments within the leased area.
- e. Within 400 feet of any improvements either owned, permitted, leased, or otherwise authorized by the Bureau of Reclamation within the leased area.
- f. Within 200 feet of established crop fields, food plots, and tree/shrub plantings within the leased area.
- g. Within 200 feet of slopes steeper than a 2:1 gradient within the leased area.
- h. Within established rights-of-way of canals, laterals, and drainage ditches within the leased area.
- i. Within a minimum of 500 feet horizontal from the centerline of the facility or 50 feet from the outside toe of the canal, lateral, or drain embankment, whichever distance is greater, for irrigation facilities without clearly marked rights-of-way within the leased area.
- j. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected, Reclamation may consider, on a case-by-case basis, waiving the requirement specified in Section 2 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

3. No occupancy of the surface or surface drilling will be allowed in the following areas. In addition, no directional drilling will be allowed that would intersect the subsurface zones delineated by a vertical plane in these areas. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project, where the United States owns 100 percent of the fee mineral interest in said tract, or tracts.

- a. Within 1,000 feet of the maximum water surface, as defined in the Standard Operating Procedures (SOP), of any reservoirs and related facilities located within the leased area.
- b. Within 2,000 feet of dam embankments and appurtenance structures such as spillway structures, outlet works, etc.
- c. Within one-half (1/2) mile horizontal from the centerline of any tunnel within the leased area.
- d. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected. Reclamation may consider, on a case-by-case basis, waiving the requirements specifies in Section 3 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

4. The distances stated in items 2 and 3 above are intended to be general indicators only. The Bureau of Reclamation reserves the right to revise these distances as needed to protect Bureau of Reclamation facilities.

5. The use of explosives in any manner shall be so controlled that the works and facilities of the United States, its successors and assigns, will in no way be endangered or damaged. In this connection, an explosives use plan shall be submitted to and approved by the Regional Director, Great Plains Region, Bureau of Reclamation, or his/her authorized representative.

6. The lessee shall be liable for all damage to the property of the United States, its successors or assigns, resulting from the exploration, development, or operation of the works contemplated by this lease, and shall further hold the United States, its successors or assigns, and its officers, agents, and employees, harmless from all claims of third parties for injury or damage sustained or in any way resulting from the exercise of the rights and privileges conferred by the lease.

7. The lessee shall be liable for all damages to crops or improvements of any entryman, nonmineral applicant, or patentee, their successors or assigns, caused by or resulting from the drilling or other operations of the lessee, including reimbursement of any entryman or patentee, their successors or assigns, for all construction, operation, and maintenance charges becoming due on any portion of their said lands damaged as a result of the drilling or other operation of the lessee.

8. In addition to any other bond required under the provisions of this lease, the lessee shall provide such bond as the United States may at any time require for damages which may arise under the liability provisions of Section six (6) and seven (7) above.

PARCEL NUMBER: 05-05-86, 05-05-119

BOR GP-135
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LEASE STIPULATIONS
BUREAU OF RECLAMATION

The lessee agrees to maintain, if required by the lessor during the period of this lease, including any extension thereof, an additional bond with qualified sureties in such sum as the lessor, if it considers that the bond required under Section 2(a) is insufficient, may at any time require:

(a) to pay for damages sustained by any reclamation homestead entryman to his crops or improvements caused by drilling or other operations of the lessee, such damages to include the reimbursement of the entryman by the lessee, when he uses or occupies the land of any homestead entryman, for all construction and operation and maintenance charges becoming due during such use or occupation upon any portion of the land so used and occupied;

(b) to pay any damage caused to any reclamation project or water supply thereof by the lessee's failure to comply fully with the requirements of this lease; and

(c) to recompense any nonmineral applicant, entryman, purchaser under the Act of May 16, 1930 (46 Stat. 367), or patentee for all damages to crops or to tangible improvements caused by drilling or other prospecting operation, where any of the lands covered by this lease are embraced in any nonmineral application, entry, or patent under rights initiated prior to the date of this lease, with a reservation of the oil deposits, to the United States pursuant to the Act of July 17, 1914 (38 Stat. 509).

As to any lands covered by this lease within the area of any Government reclamation project, or in proximity thereto, the lessee shall take such precautions as required by the irrigation under such project or to the water supply thereof; *provided* that drilling is prohibited on any constructed works or right-of-way of the Bureau of Reclamation, and *provided, further*, that there is reserved to the lessor, its successors and assigns, the superior and prior right at all times to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, and reclamation works, in which construction, operation, and maintenance, the lessor, its successors and assigns, shall have the right to use any or all of the lands herein described without making compensation therefor, and shall not be responsible for any damage from the presence of water thereon or on account of ordinary, extraordinary, unexpected, or unprecedented floods. That nothing shall be done under this lease to increase the cost of, or interfere in any manner with, the construction, operation, and maintenance of such works. It is agreed by the lessee that, if the construction of any or all of said dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone or telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures or reclamation works across, over, or upon said lands should be made more expensive by reason of the existence of the improvements and workings of the lessee thereon, said additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and

(continued on reverse)

binding upon the parties hereto, and that within thirty (30) days

after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States, or its successors, constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, or reclamation works, across, over, or upon said lands; *provided, however*, that subject to advance written approval by the United States, the location and course of any improvements or works and appurtenances may be changed by the lessee; *provided, further*, that the reservations, agreements, and conditions contained in the within lease shall be and remain applicable notwithstanding any change in the location or course of said improvements or works of lessee. The lessee further agrees that the United States, its officers, agents, and employees, and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing in this paragraph shall be construed as in any manner limiting other reservations in favor of the United States contained in this lease.

THE LESSEE FURTHER AGREES That there is reserved to the lessor, its successors and assigns, the prior right to use any of the lands herein leased, to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures, and also the right to remove construction materials therefrom, without any payment made by the lessor or its successors for such right, with the agreement on the part of the lessee that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or the removal of construction materials therefrom, should be made more expensive by reason of the existence of improvements or workings of the lessee thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or removing construction materials therefrom. The lessee further agrees that the lessor, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works herein above enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the lessor contained in this lease.

To insure against the contamination of the waters of the _____Reservoir, _____Project, State OF _____, the lessee agrees that the following further conditions shall apply to all drilling and operations on lands covered by this lease, which lie within the flowage or drainage area of the _____ Reservoir, as such area is defined by the Bureau of Reclamation:

1. The drilling sites for any and all wells shall be approved by the Superintendent, Bureau of Reclamation, _____Project, before drilling begins. Sites for the construction of pipe-line rights-of-way or other authorized facilities shall also be approved by the Superintendent before construction begins.

2. All drilling or operation methods or equipment shall, before their employment, be inspected and approved by the Superintendent of the _____Project, _____, and by the supervisor of the U.S. Geological Survey having jurisdiction over the area.

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PARCEL NUMBER: 05-05-86, 05-05-119

BOR FORM 3109-1
PAGE 2 OF 2

FS Parcel No. _____

Serial No. _____

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, McKenzie Ranger District
Dakota Prairie Grasslands
1901 South Main Street
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface-disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

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Vertebrate Paleontology Notice - The FS is responsible for assuring that the lease lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of Land Management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

PARCEL NUMBER

05-05-93,05-05-96,05-05-97,05-05-98,05-05-99,05-05-100,05-05-102,
05-05-103,05-05-104,05-05-108,05-05-109,05-05-110,05-05-111,05-05-112,
05-05-113,05-05-115,05-05-117,05-05-118

FS Parcel # _____

Serial No. _____

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, Medora Ranger District
Dakota Prairie Grasslands
161 21ST Street West
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface-disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

Vertebrate Paleontology Notice - The FS is responsible for assuring that the lease lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of Land Management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystem, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

PARCEL NUMBER
05-05-106

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

For the purpose of:

Surface occupancy and use is prohibited on slopes greater than 40 percent to protect soil resources from loss of productivity, prevent erosion on steep slopes, soil mass movement, and resultant sedimentation. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Soils, number 6, and Appendix D-3.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-93	T 154 N, R 95 W, 5 TH PM Sec 35 PORTIONS OF S2NESW,S2N2SE,S2SE
05-05-96	T 145 N, R 98 W, 5 TH PM Sec 12 PORTIONS OF E2NE,NWSW,NESE,S2SE
05-05-97	T 145 N, R 98 W, 5 TH PM Sec 25 PORTIONS OF SWNE
05-05-98	T 145 N, R 100 W, 5 TH PM Sec 2 PORTIONS OF LOT 2, S2NE,W2SE
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 2 PORTIONS OF LOT 4, SENW,NWSW,S2SW 10 PORTIONS OF N2 12 PORTIONS OF S2NE,NWSE,SESE 14 PORTIONS OF NWSW,SESW,SE
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 PORTIONS OF SWNW,N2SW,S2SE 22 PORTIONS OF NESW,SWSW,SE 25 PORTIONS OF N2,NWSW,NESE 30 PORTIONS OF NWNE,S2NE,NESE,SWSE
05-05-101	T 145 N, R 100 W, 5 TH PM Sec 20 PORTIONS OF N2NE,SENE,NW,NESW,S2SW,SE
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 PORTIONS OF W2NE,W2

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PARCEL NUMBER	LEGAL DESCRIPTION
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 PORTIONS OF LOTS 2,4,5,6,7,8, SENW, E2SW,SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 PORTIONS OF E2
05-05-105	T 144 N, R 102 W, 5 TH PM Sec 8 PORTIONS OF LOTS 2,3 21 PORTIONS OF LOT 8, S2SW
05-05-106	T 144 N, R 102 W, 5 TH PM Sec 21 PORTIONS OF LOTS 2,3,7
05-05-107	T 148 N, R 102 W, 5 TH PM Sec 17 PORTIONS OF NWSW
05-05-108	T 148 N, R 102 W, 5 TH PM Sec 19 PORTIONS OF NWSE 20 PORTIONS OF N2SE
05-05-109	T 148 N, R 102 W, 5 TH PM Sec 20 PORTIONS OF S2NW,E2SW
05-05-110	T 148 N, R 102 W, 5 TH PM Sec 21 PORTIONS OF SWNW,NWSW
05-05-111	T 148 N, R 102 W, 5 TH PM Sec 24 PORTIONS OF N2SW,NESE,S2SE
05-05-112	T 148 N, R 102 W, 5 TH PM Sec 25 PORTIONS OF NENE,S2NE,SENW,N2SW,SWSE 26 PORTIONS OF W2SW,S2SE
05-05-113	T 145 N, R 103 W, 5 TH PM Sec 2 PORTIONS OF SESE 4 PORTIONS OF LOT 3, SENW
05-05-114	T 145 N, R 103 W, 5 TH PM Sec 6 PORTIONS OF SENE 22 PORTIONS OF NWNW,SW,W2SE
05-05-115	T 145 N, R 103 W, 5 TH PM Sec 10 PORTIONS OF NESW
05-05-116	T 145 N, R 103 W, 5 TH PM Sec 8 PORTION OF NWNW
05-05-117	T 145 N, R 103 W, 5 TH PM Sec 28 PORTIONS OF S2 30 PORTIONS OF LOT 4 34 PORTIONS OF N2,SE

05-05-118

T 145 N, R 103 W, 5TH PM

Sec 10 PORTIONS OF SENE, NESE
12 PORTIONS OF N2NE, SENE, SESW
14 PORTIONS OF SW, S2SE
22 PORTIONS OF E2E2
28 PORTIONS OF N2
34 PORTIONS OF N2SW, SWSW

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below
(legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within developed recreation sites to maintain the recreation opportunities and settings within developed recreation sites. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Recreation, Developed Recreation Sites, number 11, and Appendix D-4.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-98	T 145 N, R 100 W 5 TH PM Sec 2 PORTIONS OF NESE

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

For the purpose of:

For the purpose of: No surface occupancy or use is allowed within 0.5 mile (line of sight) of golden eagle, merlin, and ferruginous hawk nests; to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-11.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 14 E2SW,N2SE,SWSE; PORTIONS OF W2SW,SESE
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 S2NW,SW; PORTIONS OF SWNE,N2NW,W2SE 22 PORTIONS OF W2SW 30 S2NE,N2SE,SWSE; PORTIONS OF NWNE
05-05-101	T 145 N, R 100 W, 5 TH PM Sec 20 NENE; PORTIONS OF NWNE,SENE
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 NE,N2NW,SENW,N2SE; PORTIONS OF SWNW, N2SW,SESW,S2SE
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 LOT 6; PORTIONS OF LOT 5, E2SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 W2NE; PORTIONS OF E2NE,NWSE
05-05-111	T 148 N, R 102 W, 5 TH PM Sec 24 PORTIONS OF S2SE
05-05-112	T 148 N, R 102 W, 5 TH PM Sec 25 NENE,S2NE,NESE; PORTIONS OF NWNE, E2NW,NWSE,S2SE 26 PORTIONS OF S2SE
052-05-113	T 145 N, R 103 W, 5 TH PM Sec 2 PORTIONS OF LOT 3

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Serial No.

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within boundaries of backcountry non-motorized management areas to retain recreation opportunities in a natural-appearing landscape. Refer to the Land and Resource Management Plan, Management Area Direction MA 1.31 Backcountry Recreation Non-motorized, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D17.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 14 PORTIONS OF S2SW
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 PORTIONS OF S2S2 22 NESW,S2SW,SE; PORTIONS OF NWSW 30 NWNE,S2NE,N2SE,SWSE
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 S2SE; PORTIONS OF NENE,NESW,S2SW,N2SE

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of a sharp-tailed grouse and sage grouse display ground to prevent abandonment of display grounds, reduced reproductive success, and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 13, and Appendix D-14.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 25 SWSE; PORTIONS OF E2SW,NWSE, SESE
05-05-108	T 148 N, R 102 W, 5 TH PM Sec 20 PORTIONS OF S2SE
05-05-110	T 148 N, R 102 W, 5 TH PM Sec 28 PORTIONS OF NWNW
05-05-111	T 148 N, R 102 W, 5 TH PM Sec 24 PORTIONS OF NENE
05-05-115	T 145 N, R 103 W, 5 TH PM Sec 10 PORTIONS OF E2NW
05-05-118	T 145 N, R 103 W, 5 TH PM Sec 10 SWNW; PORTIONS OF NWNW,NWSW

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below
(legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight)
of prairie falcon and burrowing owl nests to prevent reduced
reproductive success and adverse habitat loss. Refer to the Land and
Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and
Rare Plants, number 55, and Appendix D-13.

Any changes to this stipulation will be made in accordance with the
land use plan and/or the regulatory provisions for such changes. (For
guidance on the use of this stipulation see BLM Manual 1624 and 3101 or
FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 NWSW; PORTIONS OF S2NW, NESW, S2SW

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within ¼ mile each side of the Little Missouri River, to maintain the recreation opportunities and settings within the river corridor. Refer to the Land and Resource Management Plan, Management Area Direction MA 4.22, River and Travel Corridors, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D-25.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 LOTS 2,6; PORTIONS OF LOTS 4,5, SENW,NESE
05-05-105	T 144 N, R 102 W, 5 TH PM Sec 8 LOTS 2,3,6 21 LOT 8; PORTIONS OF SESW
05-05-106	T 144 N, R 102 W, 5 TH PM Sec 21 LOT 2; PORTION OF LOTS 3,7

Forest Service Parcel No. _____

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below
(legal sub-division or other description).

For the purpose of:

No surface occupancy or use is allowed within National Register
eligible heritage sites to protect the immediate environment of the
site. Refer to the Land and Resource Management Plan, Grassland-wide
Direction, Heritage Resources, number 6, and Appendix D-16.

Any changes to this stipulation will be made in accordance with the
land use plan and/or the regulatory provisions for such changes. (For
guidance on the use of this stipulation see BLM Manual 1624 and 3101 or
FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 PORTIONS OF N2NE

Forest Service Parcel No. _____

Serial No. _____

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

May 1 through December 1

Surface use is prohibited within 0.25 miles of the established boundaries of Burning Coal Vein, Buffalo Gap, Sather Lake, CCC, Campgrounds and Summit, Whitetail Picnic Areas, and the 6 Maa Daa Hey Trail overnight camps; Wannagan, Roosevelt, Elkhorn, Magpie, Beicegel, and Bennett.

For the purpose of:

To maintain the recreation opportunities and settings within the area surrounding campgrounds, picnic areas, and recreation trail overnights. Refer to the Land and Resource Management Plan Grassland-wide Direction, Minerals and Energy Resources number 13 and Appendix D-4.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-98	T 145 N, R 100 W, 5 TH PM Sec 2 PORTIONS OF S2NE, SE

Forest Service Parcel No. _____

Serial No. _____

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply operation and maintenance of production facilities.

March 1 - June 15

Within 1 mile (line of sight) of active sharp-tailed grouse display grounds on the lands described below:

For the purpose of:

To prevent abandonment of display grounds and reduced reproductive success. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 15 and Appendix D-5.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 25 N2,W2SW,E2SE; PORTIONS OF E2SW,W2SE
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 LOT 8, SESW,S2SE; PORTIONS OF LOT 7, NESW,N2SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 SWSE,E2SE; PORTIONS OF SENE,NWSE
05-05-108	T 148 N, R 102 W, 5 TH PM Sec 19 PORTIONS OF E2SE 20 S2NE,N2SE; PORTIONS OF N2NE,S2SE
05-05-109	T 148 N, R 102 W, 5 TH PM Sec 20 SW; PORTIONS OF NENW,S2NW
05-05-110	T 148 N, R 102 W, 5 TH PM Sec 21 SW; PORTIONS OF NWNW,S2NW 28 W2NE,W2,SWSE; PORTIONS OF E2NE, NWSE,SESE
05-05-111	T 148 N R 102 W, 5 TH PM Sec 22 E2E2; PORTIONS OF W2E2 24 NWNE,S2NE,W2,N2SE; PORTIONS OF NENE, S2SE

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<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-112	T 148 N, R 102 W, 5 TH PM Sec 25 NWNW; PORTIONS OF E2NW,SWNW 26 NE,E2NW,NWNW; PORTIONS OF SWNW, NESW,N2SE
05-05-113	T 145 N, R 103 W, 5 TH PM Sec 4 SE
05-05-115	T 145 N, R 103 W, 5 TH PM Sec 10 E2SW; PORTIONS OF E2NW
05-05-118	T 145 N, R 103 W, 5 TH PM Sec 10 E2NE,SWSW; PORTIONS OF W2NW, NWSW,E2SE

Forest Service Parcel No. _____

Serial No. _____

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s).

October 16 - June 14

This stipulation applies to drilling and testing of wells and new construction projects, and does not apply to operation and maintenance of production facilities. Limit on-lease activities (operation and maintenance of facilities) to the period from 10 am to 4 pm except in emergency situations

On the lands described below:

For the purpose of:

To provide quality forage, cover, escape terrain and solitude for bighorn sheep. Refer to the Land and Resource Management Plan MA 3.51B, Bighorn Sheep Habitat with nonfederal ownership, Standards and Guidelines, Minerals and Energy Resources, number 1 and Appendix D-22 and Addendum, p. 51.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 PORTIONS OF LOT 8, SESW,S2SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 PORTIONS OF S2SE

Forest Service Parcel No. _____

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Try to locate activities and facilities away from the water's edge and outside the riparian areas, woody draws, wetlands, and floodplains. If necessary to locate facilities in these areas, then:

- Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainage ways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes).
- Deposit no soil material in natural drainage ways.
- Locate the lower edge of disturbed or deposited soil banks outside the active floodplain.
- Stockpile no topsoil or any other disturbed soil in the active floodplain.
- Locate drilling mud pits outside riparian areas, wetlands and floodplains. If location is unavoidable in these areas, seal and dike all pits to prevent leakage or use containerized mud systems.

On the lands described below:

For the purpose of:

To protect the biological and hydrologic features of riparian areas, woody draws, wetlands, and floodplains. Refer to the Land and Resource Management Plan Grassland-wide Direction, Water, number 6 and Appendix D-2

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-93	T 154 N, R 95 W, 5 TH PM Sec 35 PORTIONS OF S2NESE, S2SE
05-05-96	T 145 N, R 98 W, 5 TH PM Sec 12 PORTIONS OF E2NE, N2SW, SE
05-05-97	T 145 N, R 98 W, 5 TH PM Sec 24 PORTIONS OF SWNE 25 PORTIONS OF W2NE

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PARCEL NUMBER	LEGAL DESCRIPTION
05-05-98	T 145 N, R 100 W, 5 TH PM Sec 2 PORTIONS OF LOTS 1,2, S2NE,SE
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 2 PORTIONS OF LOT 4, S2NW, NESW, S2SW 10 PORTIONS OF NE, NENW 12 PORTIONS OF NE, SWSE 14 PORTIONS OF S2SW
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 PORTIONS OF NE, N2NW, SENW, NESW, NWSE, SESE 22 PORTIONS OF SWSW, E2SE 25 PORTIONS OF S2NE, NW, N2SW, SWSW, SE 30 PORTIONS OF NWNE
05-05-101	T 145 N, R 100 W, 5 TH PM Sec 20 PORTIONS OF NWNW, SW
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 PORTIONS OF NWSW, S2SW
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 PORTIONS OF LOTS 2,4,5,6,7,8, SENW, E2SW, SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 PORTIONS OF E2
05-05-105	T 144 N, R 102 W, 5 TH PM Sec 8 PORTIONS OF LOTS 2,3,6 21 PORTIONS OF LOT 8, S2SW
05-05-106	T 144 N, R 102 W, 5 TH PM Sec 21 PORTIONS OF LOTS 2,3,7
05-05-108	T 148 N, R 102 W, 5 TH PM Sec 19 PORTIONS OF LOT 2, SESW, S2SE
05-05-109	T 148 N, R 102 W, 5 TH PM Sec 20 PORTIONS OF NWNW, NESW, SWSW
05-05-110	T 148 N, R 102 W, 5 TH PM Sec 21 PORTIONS OF NENW, NESW, S2SW 28 PORTIONS OF NWNE, S2NE, NW, NESW, SWSW, N2SE
05-05-111	T 148 N, R 102 W, 5 TH PM Sec 22 PORTIONS OF SENE, SENW, SWSE
05-05-112	T 145 N, R 102 W, 5 TH PM Sec 26 PORTIONS OF NENE, SWSW
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PARCEL NUMBER	LEGAL DESCRIPTION
05-05-113	T 145 N, R 103 W, 5 TH PM Sec 2 PORTIONS OF SENW, SESE 4 PORTIONS OF SWNW, W2SE
05-05-114	T 145 N, R 103 W, 5 TH PM Sec 6 PORTIONS OF LOT 1, SENE 22 PORTIONS OF W2NW, N2SW, SESW, W2SE
05-05-115	T 145 N, R 103 W, 5 TH PM Sec 10 PORTIONS OF SENW, E2SW 14 PORTIONS OF NW
05-05-116	T 145 N, R 103 W, 5 TH PM Sec 8 PORTIONS OF N2NE, NWNW, N2SW
05-05-117	T 145 N, R 103 W, 5 TH PM Sec 28 PORTIONS OF N2S2, SWSW, SWSE 34 PORTIONS OF SENE, NW, NESE, SWSE
05-05-118	T 145 N, R 103 W, 5 TH PM Sec 10 PORTIONS OF SENE, SWNW, W2SW, E2SE 12 PORTIONS OF S2NE, NW, E2SW, N2SE, SWSE 14 PORTIONS OF NESW, NESE, S2S2 22 PORTIONS OF E2NE, SESE 28 PORTIONS OF NE, NENW, S2NW 34 PORTIONS OF N2SW, SESW

Forest Service Parcel No. _____

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Surface occupancy and use is subject to operational constraints to maintain a landscape character that is no more than slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they are visually subordinate to the landscape, or placing facilities outside the moderate SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as moderate. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-98	T 145 N, R 100 W, 5 TH PM Sec 2 LOTS 1,2,S2NE,SE
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 2 LOTS 3,4,S2NW,SW 10 N2 12 E2 14 N2SW,SE; PORTIONS OF S2SW
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 N2,N2S2; PORTIONS OF S2S2 22 PORTIONS OF NWSW 25 N2NE,SENE,E2SE; PORTIONS OF SWNE,NW,N2SW,SWSW,W2SE
05-05-101	T 145 N, R 100 W, 5 TH PM Sec 20 ALL

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<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 NWNE,S2NE,NW,NWSW; PORTIONS OF NENE,NESW,S2SW,N2SE
05-05-103	T 147 N, 101 W, 5 TH PM Sec 31 PORTIONS OF LOTS 4,5,7,8, SENW,NESW,N2SE,SESE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 NWNE; PORTIONS OF NENE,S2NE
05-05-105	T 144 N, R 102 W, 5 TH PM Sec 21 SWSW; PORTIONS OF SESW
05-05-106	T 144 N, R 102 W, 5 TH PM Sec 21 PORTIONS OF LOTS 3,7

Forest Service Parcel No. _____

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Surface occupancy and use is subject to operational constraints to maintain a landscape character intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and to such scale that they are not evident.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they may not be evident, or placing facilities outside the high SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as high. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 14 PORTIONS OF S2SW
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 PORTIONS OF S2S2 22 NESW,S2SW,SE; PORTIONS OF NWSW 30 NWNE,S2NE,N2SE,SWSE
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 S2SE; PORTIONS OF NENE,NESW,S2SW,N2SE
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 LOTS 2,6; PORTIONS OF LOTS 4,5, SENW,NESE
05-05-105	T 144 N, R 102 W, 5 TH PM Sec 8 PORTIONS OF LOTS 2,3,6 21 LOT 8; PORTIONS OF SESW
05-05-106	T 144 N, R 102 W, 5 TH PM Sec 21 LOT 2; PORTIONS OF LOTS 3,7
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Forest Service Parcel No. _____

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:

1. Contact the BLM to determine if a site-specific vertebrate paleontological inventory is required. If it is required, the operator must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time a surface-disturbing plan of operation is submitted.
2. Implement mitigation measures required by the BLM to preserve, avoid, or recover vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures. All costs associated with the inventory and mitigation will be borne by the lessee or operator.
3. The lessee or operator shall immediately bring to the attention of the BLM any vertebrate paleontological resources discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the BLM.

On the lands described below:

For the purpose of:

To protect key paleontological resources from disturbance, or mitigate the effects of disturbance to conserve scientific and interpretive values, and the interests of the surface owner.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-101	T 145 N, R 100 W, 5 TH PM Sec 20 ALL
08-08-105	T 144 N, R 102 W, 5 TH PM Sec 8 LOTS 2,3,6 21 LOT 8, S2SW

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<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-107	T 148 N, R 102 W, 5 TH PM Sec 17 E2,E2NW,N2SW 18 LOTS 2,3,4,NWNE,E2W2,SE
05-05-114	T 145 N, R 103 W, 5 TH PM Sec 6 LOTS 1,3,4,SENE 22 W2NW,SW,W2SE
05-05-116	T 145 N, R 103 W, 5 TH PM Sec 8 ALL

Forest Service Parcel No. _____

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

New developments, including new facilities, roads, and concentrations of humans, within 1 mile of bighorn sheep lambing areas may be moved or modified to be out of view of the lambing areas.

This stipulation applies to drilling and testing and new construction projects, not to operation or maintenance of production.

On the lands described below:

For the purpose of:

To safeguard lamb survival and prevent displacement of bighorn sheep from lambing areas by moving facilities. Refer to Land and Resource Management Plan Grassland-wide direction, Fish, Wildlife and Rare Plants, number 12.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>
05-05-103	T 147 N, R 101 W, 5 TH PM Sec 31 PORTIONS OF LOT 8, SESW,S2SE
05-05-104	T 147 N, R 101 W, 5 TH PM Sec 34 PORTIONS OF S2SE

Forest Service Parcel No.

Serial No.

USDA - FOREST SERVICE

**THREATENED, ENDANGERED, AND SENSITIVE
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed, candidate or endangered species which are protected by the 1973 Endangered Species Act, as amended (16 USC 1531 et seq.) and implementing regulations (50 CFR 402 et seq.). The lease area may also contain habitat or species, which may require protective measures to prevent them from being listed as threatened or endangered; or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface disturbance to determine if endangered, threatened, proposed, candidate or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required. The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or a sensitive species-
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on endangered, threatened, proposed, candidate or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for permit to drill or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation, analysis and consultation may result in restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered species regulations and Forest Service statutes and regulations.

If endangered, threatened, proposed, candidate or sensitive plant or animal species are discovered in the area after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

PARCEL NUMBER: 05-05-93,05-05-96,05-05-97,05-05-98,05-05-99,05-05-100,
05-05-102,05-05-103,05-05-104,05-05-106,05-05-108,05-05-109,05-05-110,
05-05-111,05-05-112,05-05-113,05-05-115,05-05-117,05-05-118

USDA - Forest Service

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Forest Service Parcel No. _____

Serial No. _____

LEASE NOTICE
Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof. Specific exemptions are made at 36 CFR 294.12 for lands that were leased as of January 12, 2001. Lands in these parcels were previously leased.

PARCEL NO.	LEGAL DESCRIPTIONS	LEASE NUMBER	EXPIRATION DATE
05-05-99	T 145 N, R 100 W, 5 TH PM Sec 14 POR OF S2SW	NDM 82983	APRIL 2004
05-05-100	T 145 N, R 100 W, 5 TH PM Sec 15 POR S2S2 22 NESW, S2SW, SE; POR NWSW 30 NWNE, S2NE, N2SE, SWSE	NDM 82983 NDM 82985 NDM 82987 NDM 82231	APRIL 2004 APRIL 2004 APRIL 2004 JUNE 2003
05-05-102	T 145 N, R 100 W, 5 TH PM Sec 21 S2SE; POR NENE, NESW, S2SW, N2SE	NDM 82985	APRIL 2004